

The Senate on Tuesday approved former Hawaii Attorney General Mark J. Bennett's nomination to a Ninth Circuit seat with a 72-27 vote, granting President Donald Trump his first confirmation to the influential court. Read more »

Trump Issues Post-Lucia Order Nixing Exams For ALJs

President Donald Trump on Tuesday issued an executive order eliminating the competitive examination and selection procedures for appointing administrative law judges, citing "sound policy reasons" for making the exception in the wake of the U.S. Supreme Court's Lucia v. SEC ruling last month. Read more »

Enviro's Claim Of FERC Industry Bias Rejected By DC Circ.

The D.C. Circuit on Tuesday rejected Delaware Riverkeeper Network's arguments that the Federal Energy Regulatory Commission improperly favors industry and that the agency's practice of issuing tolling orders that delay decisions on requests to revisit pipeline approvals was lawful, affirming a lower court's decision. Read more »

Calif. Judge Slashes DOJ Challenge To State Sanctuary Laws

A California federal judge on Monday trimmed the U.S. Department of Justice's suit challenging California's "sanctuary" laws, after finding last week that the government was unlikely to prevail on most of its claims. Read more »

Feds Defend Spoofing Indictment Of Software Developer

Federal prosecutors are pushing back on a software company executive's bid to dismiss an indictment accusing him of participating in a spoofing scheme, telling an Illinois federal court on Monday that the anti-spoofing statute

Nabors Industries Ltd.
National Association of Manufacturers
National Conference of State Legislatures
National Consumer Law Center
National Immigration Law Center
Natural Resources Defense Council
New York Times Co.
PHH Corporation
Pacific Legal Foundation
People's United Financial Inc.
Raymond James Financial Inc.
Regents of the University of California
Santander Consumer USA Holdings Inc.
Space Exploration Technologies Corp.
Tesco Corporation
The Boeing Company
The City University of New York
Toyota Motor Corporation
Twitter Inc.
United States Council for International Business
Volkswagen

GOVERNMENT AGENCIES
Bureau of Citizenship and Immigration Services
Commodity Futures Trading Commission
Consumer Financial Protection Bureau
Department of Commerce
Equal Employment Opportunity Commission
European Commission
European Union

isn't unconstitutionally vague and the indictment wasn't arbitrary. [Read more »](#)

ENERGY & ENVIRONMENTAL

NY Says FERC Trying To Block Review Of GHG Analysis Order

The New York attorney general wrote to the Federal Energy Regulatory Commission on Tuesday saying that the commission's recent order limiting its analysis of downstream greenhouse gas emissions for some gas pipeline projects was designed to shield the policy from judicial review. [Read more »](#)

EMPLOYMENT

NLRB Launches Program Aimed At Increasing Use Of ADR

The National Labor Relations Board announced on Tuesday that it will proactively contact parties in a new outreach program to help settle more cases before the board. [Read more »](#)

Texas AG Warns San Antonio Paid Sick Leave Is Preempted

Texas Attorney General Ken Paxton has fired off a warning letter to the city of San Antonio's mayor and city council, letting it know that municipalities cannot enact an ordinance mandating that employers provide employees paid sick leave because the measure is preempted by state law. [Read more »](#)

COMPETITION

FTC Says Prosthesis Co. Merger Should Be Unwound

The Federal Trade Commission urged an administrative law judge in opening statements Tuesday to undo a leading prosthetics manufacturer's purchase of its smaller but highly competitive rival in the market for microprocessor-driven knees, a deal that allegedly threatens the "intense" competition

Executive Office of the President
Federal Communications Commission
Federal Deposit Insurance Corp.
Federal Energy Regulatory Commission
Federal Reserve System
Federal Trade Commission
Financial Crimes Enforcement Network
Food and Drug Administration
National Communications System
National Highway Traffic Safety Administration
National Labor Relations Board
National Telecommunications and Information Administration
Navajo Nation
New York State Senate
Occupational Safety and Health Administration
Office of the U.S. Trade Representative
Securities and Exchange Commission
U.S. Attorney's Office
U.S. Census Bureau
U.S. Customs and Border Protection
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Labor
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Environmental Protection Agency
U.S. House of Representatives
U.S. Immigration and Customs Enforcement
U.S. Senate

between the companies that pushed prices downward. [Read more »](#)

EU Tells Spain To Recoup = 2167M In State Aid From Postal Co.

The European Commission ordered Spain on Tuesday to recover €167 million (\$196 million) in illegal state aid to Correos, the country's postal service, after determining the government-owned company had been overcompensated between 2004 and 2010 and benefited from "incompatible" tax exemptions. [Read more »](#)

INTERNATIONAL TRADE

Trump Preparing To Hit China With \$200B In Added Tariffs

The Trump administration on Tuesday ratcheted up the trade war between the U.S. and China, releasing a wide-ranging \$200 billion list of Chinese goods the government said it wants to hit with tariffs, from frozen fish to plastic pipes. [Read more »](#)

Switzerland Fires Rare WTO Salvo Against US Metal Tariffs

The Trump administration's contentious duties on steel and aluminum prompted a rare World Trade Organization challenge from Switzerland on Tuesday, marking just the fifth time the Central European country has filed a case in the 23-year history of the WTO. [Read more »](#)

BANKRUPTCY

Puerto Rico Fights Special Revenue Bond Insurer Appeal

Puerto Rico and its federally appointed financial restructuring advisers urged the First Circuit on Monday to affirm a decision that has freed the commonwealth from an obligation to pay special revenue bondholders while it winds its way through bankruptcy-like proceedings,

U.S. Supreme Court
World Trade Organization

saying a reversal would "undermine critical infrastructure." [Read more »](#)

IMMIGRATION

USCIS Closes Vt. EB-5 Investor Center Over Ski Resort Fraud

Vermont said Tuesday it has received a termination notice from U.S. Citizenship and Immigration Services, saying it is shutting down the Vermont Regional Center for immigrant investors after an alleged scheme to defraud EB-5 visa holders who invested millions of dollars in the state's Jay Peak ski resort. [Read more »](#)

US Slaps Visa Sanctions On Laos, Myanmar

The U.S. Department of Homeland Security hit Laos and Myanmar with visa sanctions after the Trump administration determined that the two Asian nations have failed to cooperate sufficiently on taking back nationals the U.S. seeks to deport, the agency said Tuesday. [Read more »](#)

ICE, CBP Hit With Suit Over Immigrant Arrest Records

The American Immigration Council asked a D.C. federal court Monday to force U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement to hand over their immigration enforcement records, claiming the agencies illegally failed to respond to the nonprofit's Freedom of Information Act request. [Read more ½ B](#)

Travel Ban Ruling Doesn't Apply To DACA, 9th Circ. Told

The Ninth Circuit shouldn't view the U.S. Supreme Court's decision to side with the Trump administration in the travel ban case as a cue for greenlighting the executive branch's rescission of the Deferred Action for Childhood Arrivals program, attorneys representing the University of California, a California county and

several immigrants told the court Monday.
[Read more »](#)

NATIVE AMERICAN

Navajo Nation Wants Radiation Compensation Law Expanded

The Navajo Nation is pressing the U.S. Congress to update a federal law that provides compensation for people who contracted cancer and other serious diseases after being exposed to radiation during Cold War-era nuclear weapons testing, saying that the statute needs to be expanded. [Read more »](#)

Suit Challenging Census Citizenship Question Amended

A federal lawsuit challenging the Trump administration's decision to include a citizenship question on the 2020 census has been updated to include claims that Native Americans would also be harmed by the inclusion of the query. [Read more »](#)

TELECOMMUNICATIONS

Feature

Top 3 Groups Lobbying The FCC

During June, telecom lobbyists pressed harder on hot-button issues at the Federal Communications Commission including phone accessibility and model small-cell agreements. Here's a look at the top three groups lobbying the FCC from June 1 to June 30 and a sampling of what they care about. [Read more »](#)

'Regulatory Humility' Will Spur New Technologies, Pai Says

Federal Communications Commission Chairman Ajit Pai on Tuesday touted a philosophy of "regulatory humility" undergirding his leadership of the agency, telling a symposium in Switzerland that deferral to market mechanisms is the best way for

governments to foster the growth of new technologies. [Read more »](#)

NTIA Requests FCC Rulemaking On Emergency Network Use

The National Telecommunications and Information Administration, the president's adviser on domestic and international telecommunications policy, asked the Federal Communications Commission on Monday to make rule changes that would allow government entities to have priority access to wireless operators' networks in times of emergency. [Read more »](#)

SpaceX, Others Back FCC Satellite Rule, But With Tweaks

SpaceX and other space launch and satellite companies weighed in positively on the FCC's proposed rule to streamline licensing requirements for small satellites in comments made public Tuesday, although commenters also urged the commission to make several tweaks before finalizing the proposal. [Read more »](#)

MADD Urges FCC To Keep Car Safety Tech Alive

Advocacy group Mothers Against Drunk Driving is urging the Federal Communications Commission to work with automakers to deploy a safety technology that would allow cars to communicate wirelessly with each other and infrastructure components to reduce accidents. [Read more »](#)

WHITE COLLAR

Jury Hears Of 'Skelos Family Shakedown' As Trial Nears End

The Manhattan U.S. Attorney's Office made the case to jurors Tuesday that former New York State Senate Majority Leader Dean Skelos and his son Adam used the Long Island Republican's powerful office to extort real estate, environmental and insurance

companies, calling it "the Skelos family shakedown." [Read more »](#)

EXPERT ANALYSIS

Series

High Crimes And Misdemeanors: 'Manifest Injury' Is Key

Under the U.S. Constitution, impeachment requires no charging of crime, no intent to do wrong and no lawbreaking. Rather, impeachment focuses on significance of effect. President Bill Clinton's 1998 impeachment was a clear demonstration of the differences between criminal and impeachment prosecution, says attorney Barbara Radnofsky. [Read more »](#)

New Bill Addresses Systemic Risk In Cannabis Banking

The newly introduced STATES Act would alleviate most of the issues that financial institutions face in providing services to marijuana-related businesses, say attorneys with Dykema Gossett PLLC. [Read more »](#)

Opinion

The Problem With SEC's Plan To Cap Whistleblower Awards

The U.S. Securities and Exchange Commission's proposal to reduce payments to whistleblowers in the largest anti-fraud cases completely ignores the central purpose of the Dodd-Frank Act's whistleblower provisions, says Stephen Kohn of Kohn Kohn & Colapinto LLP. [Read more »](#)

Opinion

Law Schools Must Take A Stand Against Mandatory Arbitration

Later this week, Harvard Law students will begin bidding on interview slots with the nation's top law firms. Our institutions owe it to their students not only to require firms to disclose mandatory arbitration provisions in new associate contracts, but also to bar employers from on-campus recruiting if they

require these provisions, says Isabel Finley, a third-year student at Harvard Law School and president of the Harvard Women's Law Association. [Read more »](#)

LEGAL INDUSTRY

Global 20: Norton Rose Fulbright

Norton Rose Fulbright continues to handle cross-border matters in several industry sectors, from guiding Tesco in its \$220 million energy combination with Nabors to successfully defending a banking executive in the JPMorgan "London Whale" case, winning the firm a place for the sixth consecutive year on Law360's Global 20 list. [Read more »](#)

Kasowitz Among Those Exceeding Cravath On Associate Pay

More than a month after Milbank Tweed Hadley & McCloy LLP sparked the start of the 2018 associate pay raises, more law firms continue to bump up salaries, with Kasowitz Benson Torres LLP on Tuesday announcing big raises that exceed the Cravath scale. [Read more »](#)

Ogletree Says Amending Gender Bias Complaint Is 'Futile'

Ogletree Deakins Nash Smoak & Stewart PC urged a California federal judge Monday to reject a former firm attorney's request to amend her gender bias suit against the labor law powerhouse, arguing that bringing more individuals into the suit would be futile since her dispute is subject to an arbitration agreement. [Read more »](#)

Kirkland Booted From For-Profit Law School's ABA Suit

An Arizona federal judge overseeing a suit by a for-profit law school against the American Bar Association has removed from the case three Kirkland & Ellis attorneys representing the school, including former U.S. Solicitor General Paul D. Clement, saying they have not

complied with out-of-state attorney admission procedures. [Read more »](#)

Holland & Knight Adds Ex-Reed Smith Team For Philly Launch

Holland & Knight LLP announced Tuesday it has hired a dozen former Reed Smith LLP attorneys, including a longtime managing partner in Philadelphia, to help launch a new office in the City of Brotherly Love. [Read more »](#)

JOBS

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Subject: Kennedy's Legacy Remains Alive In Kavanaugh's Nomination



Thursday, July 12, 2018



SUPREME COURT NOMINATION

Feature

Kennedy's Legacy Remains Alive In Kavanaugh's Nomination

Over his four decades on the federal bench, there was one clerk U.S. Supreme Court Justice Anthony Kennedy always praised effusively. Now, that clerk could be replacing the retiring justice on the high court. Read more »

Feature

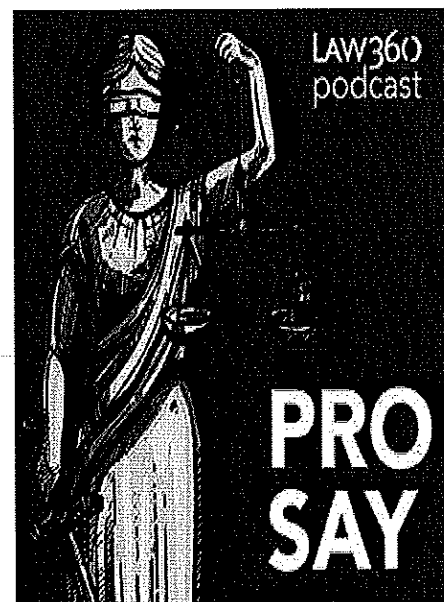
4 Kavanaugh Arguments You Gotta Hear

President Donald Trump's nomination of D.C. Circuit Judge Brett Kavanaugh to a seat on the U.S. Supreme Court has sent everyone scrambling to read what the jurist has written, but how about what he's said? Here, Law360 presents an interactive audio tour of four key Judge Kavanaugh arguments. Read more »

Feature

What Civil Rights Rulings Could Look Like Under Kavanaugh

U.S. Supreme Court nominee Brett Kavanaugh's record on immigration, employee rights and health care suggests he could side more closely with high court conservatives than civil rights advocates would like, paving the way for closely watched rulings on some of



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Dilworth Paxson
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Epstein Becker Green
Faegre Baker

the nation's most controversial issues. Read more »

Senate Panel Gearing Up For Kavanaugh Vetting Fight

The Senate Judiciary Committee has already begun what will be a lot of heavy lifting to get ready for a confirmation hearing on U.S. Supreme Court nominee Brett Kavanaugh, which could come before September, by staffing up and preparing to review hundreds of thousands of documents. Read more »

Kavanaugh Splurged On Baseball Tix, Reports Say

D.C. Circuit Judge Brett Kavanaugh racked up steep credit card debt in 2016 to pay for Washington Nationals tickets, according to Wednesday news reports and disclosures by the U.S. Supreme Court nominee that also show he coaches kids' basketball and contributed to a law book without pay. Read more »

Analysis

Kavanaugh's Transportation Rulings Favor Limited Deference

In the various transportation industry challenges he's considered over the years, D.C. Circuit Judge Brett Kavanaugh has made clear his distaste for granting broad deference to federal agencies, making clear he expects regulators to carefully justify their decision- and rule-making processes. Read more »

TOP NEWS

Senate Confirms Kirkland Atty As DOJ Criminal Division Head

The U.S. Senate voted on Wednesday 51-48 to confirm Brian Benczkowski's nomination as head of the Department of Justice's criminal division, despite Democratic senators' concerns about his work at Kirkland & Ellis LLP

Gibson Dunn
Greenberg Traurig
Gupta Wessler
Herbert Smith Freehills
Hogan Lovells
Hoguet Newman
Holland & Knight
King & Spalding
Kirkland & Ellis
Latham & Watkins
LeClairRyan
Milbank Tweed
Morrison & Foerster
O'Melveny & Myers
Paul Hastings
Quarles & Brady
Reed Smith
Saul Ewing
Shapiro Arato
Sidley Austin
Snell & Wilmer
Stinson Leonard
Sullivan & Worcester
Vinson & Elkins
Yetter Coleman

COMPANIES

Allergan PLC
Alliance of Automobile
Manufacturers
American Bar Association
American Center for Law and
Justice
American Civil Liberties Union
American Enterprise Institute
American Federation of
Government Employees
American Federation of State,
County and Municipal Employees
Association of Corporate Counsel

for a Russian bank and lack of experience in public criminal cases. [Read more »](#)

9th Circ. Pick Treads Fine Line On Environmental Stance

Ryan D. Nelson, the third person nominated by President Donald Trump for a Ninth Circuit seat, acknowledged humans played a role in climate change but said during testimony at a Senate Judiciary Committee hearing Wednesday that he believed courts must adhere to the letter of the law when interpreting often old or ambiguous environmental statutes. [Read more »](#)

Analysis

Pipelines Come Out On Top With Nixing Of FERC Bias Claim

The D.C. Circuit endorsed the status quo at the Federal Energy Regulatory Commission when it rejected arguments the agency's process favored industry groups at the expense of the environment, a decision that experts say preserves obstacles for groups that challenge pipeline projects. [Read more »](#)

New EPA Chief Signals Change In Tone But Not Substance

The new, acting head of the U.S. Environmental Protection Agency on Wednesday extended an olive branch to staffers and journalists — many of whom tangled with Scott Pruitt, the scandal-plagued former leader of the EPA — and indicated he will continue to carry out the Trump administration's deregulatory agenda. [Read more »](#)

IRS Finalizes Anti-Inversion Regs That Sank \$160B Pfizer Deal

The Internal Revenue Service implemented regulations Wednesday that a federal court had invalidated last October after they sank a planned \$160 billion merger between Pfizer Inc. and Allergan PLC of Ireland. [Read more »](#)

BANKING & SECURITIES

Baltimore Orioles
Bank of America Corporation
Bayer AG
Bristol-Myers Squibb Co.
Center for Biological Diversity Inc.
Delaware Riverkeeper Network
Environmental Defense Fund Inc.
Epic Systems Corp.
Federalist Society
Federation for American Immigration Reform
Global Automakers
Google Inc.
Greater Boston Chamber of Commerce
International Brotherhood of Teamsters
Internet Brands, Inc.
Kirkland's, Inc.
Lambda Legal Defense & Educational Fund
LegalZoom.com Inc.
Los Angeles Dodgers
Macquarie Group Ltd.
Melaleuca Inc.
Murray Energy Corp.
NBCUniversal Inc.
National Conference of State Legislatures
National Education Association
National Federation of Independent Business
National Parks Conservation Association
National Right to Work Legal Defense Foundation
Natural Resources Defense Council
New York City Bar Association
New York University

House Passes Bill To Allow Venture Exchanges

The U.S. House of Representatives on Tuesday passed two bills aimed at improving capital formation for smaller companies, one of which would allow for the creation of venture exchanges and another that aims to improve research coverage for lesser-known companies. [Read more »](#)

ENERGY & ENVIRONMENTAL

EPA Says Challenge To Fuel Economy Rollback Too Early

The U.S. Environmental Protection Agency on Tuesday urged the D.C. Circuit to toss a challenge to its decision to revisit greenhouse gas emissions standards established by the Obama administration for 2022-2025 model cars and light trucks, arguing that the suits were premature. [Read more »](#)

House Passes Fisheries Act Update Opposed By Enviros

The U.S. House of Representatives on Wednesday voted to renew a decades-old law designed to protect and replenish the nation's fish stocks, along with several amendments that Democrats and environmentalists said would weaken the statute. [Read more »](#)

Enviros Press EPA On Heavy-Duty Truck Emissions Standards

A trio of environmental groups pushed the U.S. Environmental Protection Agency on Tuesday to revoke its recent decision to cease enforcing Obama-era greenhouse gas emissions standards for certain heavy-duty trucks outfitted with engines from older trucks, standards the agency plans to repeal. [Read more »](#)

HEALTH & LIFE SCIENCES

Northern Mariana Islands Retirement Fund
Nuclear Energy Institute
Owner-Operator Independent Drivers Association Inc.
PHH Corporation
Pfizer Inc.
Service Employees International Union
Sierra Club
Southern Environmental Law Center
The Royal Bank of Scotland Group PLC
Tix Corporation
Twitter Inc.
U.S. Chamber of Commerce
United Food & Commercial Workers Int'l Union
University of Mississippi Medical Center
Verizon Communications Inc.
Washington Nationals
Washington Post Co.
Wayfair LLC
Xcel Energy Inc
ZTE Corp.

GOVERNMENT AGENCIES

Bureau of Citizenship and Immigration Services
Bureau of Indian Affairs
Bureau of Industry and Security
Bureau of Land Management
Consumer Financial Protection Bureau
Department of Commerce
Drug Enforcement Administration
Equal Employment Opportunity Commission
European Commission

DEA Finalizes Prescription Opioid Anti-Diversion Policy

The U.S. Drug Enforcement Administration finalized plans Wednesday to scrutinize diversion of prescription opioids for illicit uses when setting limits on opioid production, shooting down industry objections about potential shortages and methods of assessing diversion. [Read more »](#)

EMPLOYMENT

Paid Family Leave Cheered But Proposals Diverge At Hearing

Republicans and Democrats cheered the idea of creating a paid family leave program in the U.S., the only industrialized country that does not guarantee new mothers paid time off, but disagreed on how to do it during a Senate Finance Committee meeting on Wednesday. [Read more »](#)

CONSUMER PROTECTION

Trump Retools Fraud Task Force To Focus On Consumers

The Trump administration disbanded an Obama-era financial fraud task force on Wednesday, replacing it with another multiagency group led by the U.S. Department of Justice that targets a broader range of economic crimes — especially fraud on consumers and the government. [Read more »](#)

INTERNATIONAL TRADE

WTO China Review Turns Ugly As More US Tariffs Loom

A World Trade Organization review of China's trade regime gave way to a contentious scrap in Geneva on Wednesday as the Asian giant swapped blows with the United States over the Trump administration's decision a day earlier to target \$200 billion worth of Chinese exports with additional duties. [Read more »](#)

European Union
Federal Aviation Administration
Federal Communications Commission
Federal Energy Regulatory Commission
Federal Motor Carrier Safety Administration
Federal Trade Commission
Interior Board of Indian Appeals
Internal Revenue Service
Massachusetts Department of Revenue
Massachusetts Supreme Judicial Court
National Highway Traffic Safety Administration
National Labor Relations Board
Navajo Nation
New Jersey Legislature
New York State Department of Financial Services
New York State Senate
Office of National Drug Control Policy
Office of the U.S. Trade Representative
Securities and Exchange Commission
Surface Transportation Board
U.S. Attorney's Office
U.S. Department of Health and Human Services
U.S. Department of Homeland Security
U.S. Department of Justice
U.S. Department of Transportation
U.S. Department of the Interior
U.S. Environmental Protection Agency

ZTE Takes Step Toward Lifting US Export Restrictions

ZTE Corp. has inked a deal with the U.S. Department of Commerce that has it depositing \$400 million in an escrow account to lift a denial order that's blocking its access to the U.S. supply chain, the government said Wednesday. [Read more »](#)

Senate Pushes Back Against Trump's Security-Based Tariffs

The U.S. Senate took a preliminary step to counter the Trump administration's use of a Cold War-era law to impose sweeping tariffs Wednesday, fueling a long-running legislative push to reinstate congressional authority over trade policy. [Read more »](#)

Nonprofit Can't Access EU Investment Arbitration Docs

A European Union court on Wednesday shut down an effort by an environmental law nonprofit to force the European Commission to release documents relating to the compatibility of investment arbitration and the investment court system with EU law, agreeing with the commission that doing so could weaken its negotiating position. [Read more »](#)

TAX

NH Council OKs Special Session To Counter Wayfair Ruling

New Hampshire lawmakers can attempt to make life difficult for other states seeking to impose sales and use tax on remote transactions from in-state businesses, after the governor's request for a special legislative session to combat the U.S. Supreme Court's Wayfair ruling was approved Wednesday. [Read more »](#)

BANKRUPTCY

PREPA Chief Resigns Amid Restructuring, Privatization Push

U.S. House Committee on Energy and Commerce

U.S. House of Representatives

U.S. Immigration and Customs Enforcement

U.S. Senate

U.S. Supreme Court

World Trade Organization

The head of Puerto Rico's public electric utility has resigned just months after being installed to lead the company's privatization push as it struggles to restructure more than \$9 billion in debt and improve an unstable electric grid. [Read more »](#)

IMMIGRATION

Immigrant Kids On Track For Family Reunification, US Says

More than half of the children recently separated from a parent at the border who have been identified as covered under a class action, and who are eligible to be promptly reunited, were expected to be back with a guardian by a court-imposed deadline, the Trump administration told a California federal court Tuesday. [Read more »](#)

Bill Roundup: Improper Entry, TPS, Family Reunification

House lawmakers introduced several bills Tuesday that would increase the minimum prison sentence for improper entry to the U.S., extend temporary protected status designation for certain countries and require the reunification of immigrant families. Here, Law360 delves into their proposals. [Read more »](#)

NATIVE AMERICAN

House Panel Pushes Forward Little Shell Recognition Bill

The House Committee on Natural Resources on Wednesday easily passed a proposed bill that would give the Little Shell Tribe of Chippewa Indians of Montana federal recognition and a land base. [Read more »](#)

Feds Defer Gas Leasing Of Colo. Land To Consult With Tribe

The federal government has decided to defer the leasing of almost a dozen parcels of land for possible oil and gas development in

Huerfano County, Colorado, in order to consult with the Navajo Nation first, a U.S. Bureau of Land Management representative said Wednesday. [Read more »](#)

TELECOMMUNICATIONS

FCC Needs More Info Before Gutting Kids' TV, Sens. Warn

Sens. Ed Markey and Richard Blumenthal warned Wednesday that the Federal Communications Commission is taking a step toward rolling back rules governing children's educational TV programming without adequately sussing the impact of such a change on young minds and low-income households. [Read more »](#)

Dems Say Proposed FCC Rule A Disservice To Consumers

Two leading House Democrats on Tuesday urged Federal Communications Commission Chairman Ajit Pai to reconsider a proposed revision to the agency's rules they say would make it more difficult for consumers to get help with complaints against communications companies. [Read more »](#)

FCC Must Probe Carriers' Sharing Of User Data, Panel Hears

The Federal Communications Commission must further probe the sharing of sensitive customer information collected by telecom providers and passed on to third parties without clear procedures for obtaining the users' consent, a House subcommittee on technology heard Wednesday. [Read more »](#)

FCC Announces \$100M Telehealth Pilot Program

The Federal Communications Commission announced Wednesday it plans to launch a telehealth program aimed at improving health outcomes in rural areas and backed by \$100

million in funding from the Universal Service Fund. [Read more »](#)

WHITE COLLAR

Ex-NY Senate Head Denies Extortion In Final Plea To Jury

An attorney for former New York State Senate Majority Leader Dean Skelos on Wednesday made his final pitch to jurors in the corruption retrial accusing the Long Island Republican and his son of leveraging political power to extort companies, saying there's no crime in the senator asking for assistance for his son. [Read more »](#)

EXPERT ANALYSIS

Series

High Crimes And Misdemeanors: Making Political Judgments

Presidential impeachment exists not so that one party can decapitate the other, but to preserve the foundation of our democracy. For an impeachment to be legitimate, it must be a fair process in which Congress speaks for a majority of the American people in undoing an election, say Laurence Tribe of Harvard Law School and Joshua Matz of Gupta Wessler PLLC. [Read more »](#)

The Rise And Fall Of The Millionaire Tax In Massachusetts

In a June 20, 2018, decision the Massachusetts Supreme Judicial Court ended a three-year effort to amend the Massachusetts Constitution and impose an additional tax on individuals with income exceeding \$1 million, David Nagle and Joseph Donovan of Sullivan & Worcester LLP analyze the history of the litigation, the decision and its implications. [Read more »](#)

All Unions Likely To Feel The Impact Of Janus V. AFSCME

While the high court's decision in *Janus v. AFSCME* issued a direct and devastating hit to public-sector unions, its effects are likely to be far reaching. Unions representing both private- and public-sector employees, as well as union funding of political causes, will feel the blow, say Joseph Gross and Adam Primm of Benesch Friedlander Coplan & Aronoff. [Read more »](#)

#MeToo's Impact On Sexual Harassment Law Just Beginning

The myriad sexual harassment laws proposed and passed this year show that legislatures are swiftly responding to the #MeToo movement. All employers should keep abreast of developments nationwide, because another state's laws may be coming soon to a legislature near you, says Susan Sholinsky of Epstein Becker & Green PC. [Read more »](#)

LEGAL INDUSTRY

Global 20: Herbert Smith Freehills

Herbert Smith Freehills used its global reach to help clients connected to the investigation into Russia's interference in the 2016 presidential election and to defend RBS in a high-profile action brought by thousands of investors over its £12 billion rights issue, landing the firm on Law360's Global 20 list. [Read more »](#)

Female GCs Earn 78 Cents For Every Dollar Male GCs Collect

The median total pay for female general counsel is \$210,000, compared with the \$270,000 median total compensation that men earn at the same level, according to a report released Wednesday. [Read more »](#)

Ways In-House Counsel Can Foster A Positive Co. Culture

Part of the role of in-house counsel amid the #MeToo movement is to effect change at their organizations and proactively try to create an environment in which employees are more

sensitive, panelists at a New York City Bar Association event said Tuesday. They shared three other tips for how business lawyers can build a culture of respect. [Read more »](#)

NY Boutique Duval & Stachenfeld Hikes Associate Pay

Announcements of associate salary bumps continued apace as Manhattan-based real estate boutique Duval & Stachenfeld LLP informed its staff on Tuesday that it will increase base salaries, effective from the beginning of July, to adhere to the new market scale, at least for younger attorneys. [Read more »](#)

Analysis

Avvo's End Spells Opportunity For Other 'Disrupter' Legal Cos.

Avvo Legal Services may have succumbed to regulators troubled by a business model offering a menu of legal work for fixed fees, but that might only add wind to the sails of other legal industry "disrupters" focused on low-cost services. [Read more »](#)

Kirkland Gets OK To Rejoin Law School Suit Against ABA

A day after being shown the door in an Arizona federal court case challenging the American Bar Association law school accreditation process, a Kirkland & Ellis LLP team was welcomed back on Tuesday. [Read more »](#)

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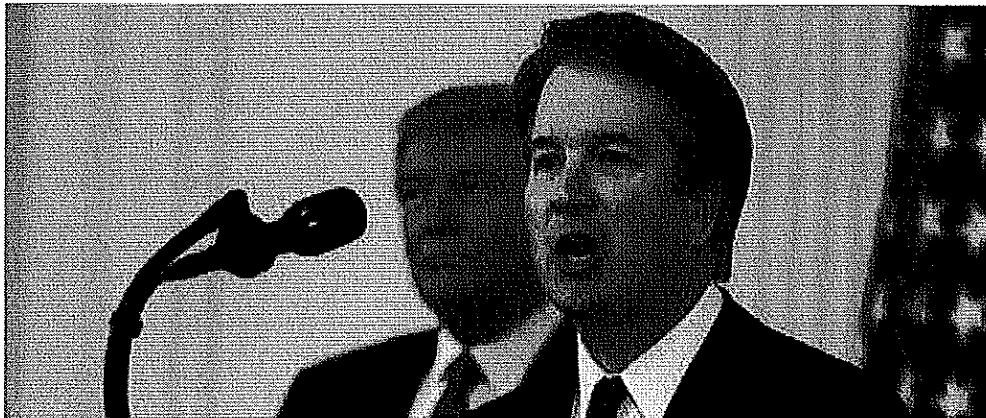
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Friday, July 13, 2018



IN HIS WORDS



5 Kavanaugh Opinions You Need To Read Right Now

President Donald Trump called Judge Brett Kavanaugh a "judge's judge" when he named him Monday as his pick to succeed retiring U.S. Supreme Court Justice Anthony Kennedy. As all eyes turn to the Senate for what is expected to be a bruising confirmation process, here are the opinions.

'Not A Complicated Case': Kavanaugh's Straightforward Style

There's no argle-bargle in Judge Brett Kavanaugh's opinions. Instead, he's made a name for himself on the D.C. Circuit with clear, concise writing.

4 Kavanaugh Arguments You Gotta Hear

President Donald Trump's nomination of D.C. Circuit Judge Brett Kavanaugh to a seat on the U.S. Supreme Court has sent everyone scrambling to read what

COMPANIES

AT&T Inc.
American Federation of Labor and Congress of Industrial Organizations
Boehringer Ingelheim
Cable News Network Inc.
Cato Institute
Chevron Corp.
Fannie Mae
Federalist Society
Hobby Lobby Stores
Janus Capital Group Inc.
McDonald's Corporation
National Consumer Law Center
Oil States International Inc.
PHH Corporation
SAS Institute
Santander Consumer USA Holdings Inc.
The City University of New York
Twitter Inc.
Verizon Communications Inc.

GOVERNMENT AGENCIES

the jurist has written, but how about what he's said? Here, Law360 presents an interactive audio tour of four key Judge Kavanaugh arguments.

HOW HE COULD CHANGE THE COURT

With Kavanaugh's Nomination, Chevron's Future Looking Grim

Confirmation of President Donald Trump's nominee to the U.S. Supreme Court, D.C. Circuit jurist and conservative all-star Brett Kavanaugh, would spell further trouble for federal agencies and so-called Chevron deference, but experts predict that the pro-regulation judicial doctrine is unlikely to be overturned completely in the near future.

Kavanaugh's Views Could Mean Increased Scrutiny Of USPTO

D.C. Circuit Judge Brett Kavanaugh has a fairly sparse record on intellectual property issues, but the U.S. Supreme Court nominee's skepticism of the power of administrative agencies could lead him to closely scrutinize decisions by the U.S. Patent and Trademark Office, attorneys say.

6 Kavanaugh Employment Cases Lawyers Need To See

As D.C. Circuit Judge Brett Kavanaugh prepares to embark on a potentially contentious confirmation process, a look at his judicial record in labor and employment cases reveals a judge who often sides with employers and tends to take a tough line with federal agencies. Here, Law360 looks at a handful of Judge Kavanaugh's employment law opinions that could offer a glimpse as to what his positions on the high court may look like.

Kavanaugh Dissent Shows Skepticism For Deference To SEC

U.S. Supreme Court nominee D.C. Circuit Judge Brett Kavanaugh has earned a reputation for being skeptical of "overreaching" federal agencies, a point of view that could significantly influence how the high court defers to the U.S. Securities and Exchange Commission going forward, legal experts said Tuesday.

Kavanaugh Could Mean High Court Trouble For CFPB

D.C. Circuit Judge Brett Kavanaugh would bring to the U.S. Supreme Court a skepticism of regulatory agency authority that could be a boon for the financial services industry and a bummer for the Consumer Financial Protection Bureau, experts say.

Consumer Financial Protection Bureau

Copyright Royalty Board

Equal Employment Opportunity Commission

Federal Communications Commission

Federal Reserve System

Federal Trade Commission

National Labor Relations Board

Occupational Safety and Health Administration

Securities and Exchange Commission

U.S. Copyright Office

U.S. Department of Labor

U.S. Department of the Interior

U.S. Environmental Protection Agency

U.S. Patent and Trademark Office

U.S. Senate

U.S. Supreme Court

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Law360 | Portfolio Media, Inc, 111 West 19th Street, 5th Floor, New York, NY 10011

From: Westlake, Libby
Sent: Friday, January 13, 2017 8:11 AM
To: Westlake, Libby
Subject: E-Clips for 1/13/2017

HOUSE E-CLIPS

1/13/2017



KASICH OUTLINES 2017 VISION IN FACE OF BUDGET SHORTFALL

Gov. John Kasich says he is creating a position for a chief innovation officer to pursue and oversee developments in emerging technologies, such as education technology, robotics and data analytics.



KASICH NOT BACKING OFF TOUGH GRADUATION STANDARDS

Despite a Statehouse protest by Ohio superintendents two months ago, Gov. John Kasich said Thursday that he won't back down from tough new state high-school graduation requirements.

ANTI-DEATH PENALTY COALITION URGES OHIO NOT TO RESUME EXECUTIONS

At the exact hour a convicted Ohio killer was originally to be executed Thursday, opponents of capital punishment gathered at the Statehouse to urge state officials not to resume lethal injection after a three-year hiatus.

UTILITIES PUSH FOR TOUGH REGULATIONS ON SUBMETER COMPANIES

The Public Utilities Commission of Ohio plans to regulate submeter companies, but the state's largest electricity utilities say that regulators are not going far enough to rein in abusive practices by these companies.

SPEAKER ROSENBERGER APPOINTS HOUSE COMMITTEE LEADERS

House Speaker Cliff Rosenberger, R-Clarksville, has named committee chairs and vice-chairs for the 2017-18 legislative session.

THE PLAIN DEALER

**BUSINESS LEADERS ON SCHOOL BOARDS AMONG IDEAS GOV. JOHN KASICH
PLANS TO PUT IN THE STATE BUDGET**

Gov. John Kasich on Thursday dropped a few more hints about the policy changes tucked into his last two-year state budget.

**OHIO DEATH PENALTY OPPONENTS URGE END TO EXECUTIONS OF MENTALLY
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Ohio death penalty opponents on Thursday urged Gov. John Kasich and state lawmakers not to resume executions next month after three years of delays.

**FORMER YOUNGSTOWN MAYOR JAY WILLIAMS CONSIDERS RUN FOR
GOVERNOR**

Jay Williams, the former Youngstown mayor and outgoing Obama administration official, is getting serious about a run for Ohio governor in 2018.

THE ENQUIRER

RIGHT-TO-WORK WEAKENS UNIONS, BUT WILL IT BRING JOBS?

Unions terrify some employers.

THE BLADE
One of America's Great Newspapers

AREA LAWMAKERS TO HELP LEAD STATE HOUSE COMMITTEES

State Rep. Steven Arndt (R., Port Clinton) will be the sole state House committee chairman from northwest Ohio in this two-year session.

KASICH SAYS HE CAN FILL POTENTIAL \$1 BILLION BUDGET HOLE

Gov. John Kasich will propose a solution to a potential \$1 billion hole in the state's next two-year budget as the federal government closes a sales tax loophole exploited by Ohio to draw down more Medicaid matching funds.

**FORMER LEGISLATOR SEEKS NEW TRIAL REGARDING FELONY THEFT
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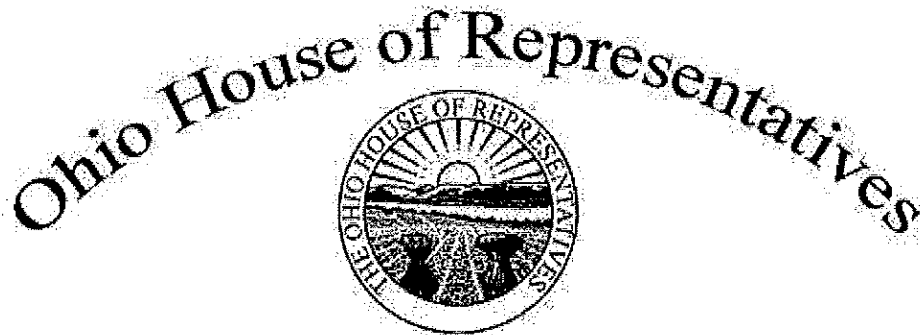
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From: Thawley, Roanna
Sent: Friday, January 13, 2017 2:41 PM
To: Thawley, Roanna
Subject: Co-Sponsor Request: Public Sector Right-to-Work



Representative John Becker
Ohio's 65th House District

MEMORANDUM

To: GOP House Members
From: Representative John Becker
Date: January 13, 2017
RE: Co-Sponsor Request: Public Sector Right-to-Work

I will soon be reintroducing a public sector right-to-work bill. This bill was previously introduced in the 131st General Assembly as HB 583.

There is a national trend of states moving to implement right-to-work laws. With Kentucky being the 27th state to continue that trend, it's time Ohio steps up to the plate. All of Ohio's neighboring states, with the exception of Pennsylvania, have right-to-work laws on the books.

This legislation:

- Provides public sector workers the choice to opt out of union representation and dues.
- Allows non-union employees to voluntarily make financial contributions to a union.
- Protects unions from the requirement of representing non-union employees.
- Appropriates \$30,000 in fiscal year 17 for pamphlets and brochures.

If you would like to co-sponsor this legislation or have any questions, please contact Roanna Thawley at (614) 466-8134 or Roanna.Thawley@ohiohouse.gov. The deadline to co-sponsor is COB, Monday, January 30, 2017. Thank you for your consideration.

Roanna Thawley

Legislative Aide

State Representative John Becker | Ohio House District 65

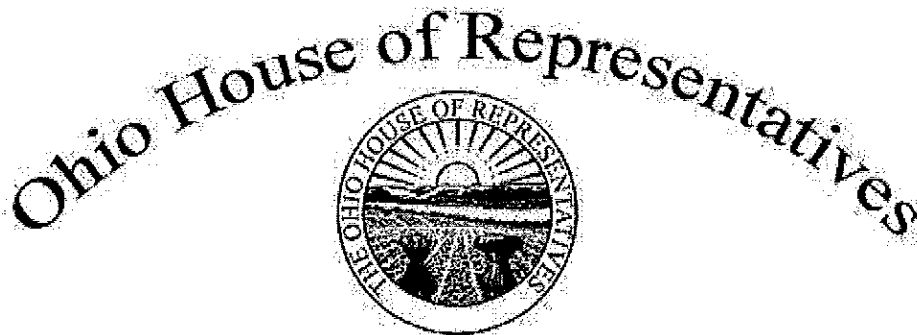
77 S. High Street, 12th Floor | Columbus, OH 43215

(614) 466-8134

roanna.thawley@ohiohouse.gov

From: Thawley, Roanna
Sent: Monday, January 23, 2017 10:34 AM
To: Thawley, Roanna
Subject: Co-Sponsor Request: Public Sector Right-to-Work

****REMINDER: Deadline to co-sponsor is January 30th at 5 PM****



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Ohio's 65th House District

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Legislative Aide

State Representative John Becker | Ohio House District 65

77 S. High Street, 12th Floor | Columbus, OH 43215

(614) 466-8134

roanna.thawley@ohiohouse.gov

From: Thawley, Roanna
Sent: Monday, January 30, 2017 9:33 AM
To: Thawley, Roanna
Subject: REMINDER Co-Sponsor Request: Public Sector Right-to-Work

****REMINDER: Deadline to co-sponsor is TODAY at 5 PM.****



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Ohio's 65th House District

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77 S. High Street, 12th Floor | Columbus, OH 43215

(614) 466-8134

roanna.thawley@ohiohouse.gov

From: Gongwer News Service
Sent: Thursday, February 2, 2017 8:28 AM
To: DL_Gongwer
Subject: Ohio Media Clips, Thursday, February 2



NEWS

Governor: Ohio must embrace future, change Rust Belt image (Akron Beacon Journal, 2/2/2017)

With \$2.6M, Ohio creates network to support violence victims (Associated Press, 2/2/2017)

Kasich: Losing Amazon isn't 'game over' (Cincinnati Enquirer, 2/2/2017)

Sanctuary city 'over our dead body,' Mandel says (Cincinnati Enquirer, 2/2/2017)

Sen. Brown blocks committee vote on Trump's Treasury nominee (Cincinnati Enquirer, 2/2/2017)

'Right to work' won't be popular in Ohio, state lawmakers say (Cleveland Plain Dealer, 2/2/2017)

New Ohio GOP Chairwoman Jane Timken's message for Kasich allies: 'I will not keep score' (Cleveland Plain Dealer, 2/2/2017)

Ohio to appeal court ruling preserving Cleveland's Fannie Lewis Law (Cleveland Plain Dealer, 2/2/2017)

Sherrod Brown stalls Steve Mnuchin, Josh Mandel slams sanctuary cities: Ohio Politics Roundup (Cleveland Plain Dealer, 2/2/2017)

Callers jam Senate phone lines with concerns about Trump nominees (Columbus Dispatch, 2/2/2017)

Kasich administration makes final push to Medicaid managed care (Columbus Dispatch, 2/2/2017)

Kasich says state did all it could to land \$1.4 billion Amazon hub (Columbus Dispatch, 2/2/2017)

Kasich tax plan faces questions from House panel (Columbus Dispatch, 2/2/2017)

The Daily Briefing: David Pepper, Jane Timken differ on which party has more energy (Columbus Dispatch, 2/2/2017)

Call volume overwhelms Senate switchboard (Dayton Daily News, 2/2/2017)

Dayton Mayor Nan Whaley 'considering' run for governor (Dayton Daily News, 2/2/2017)

Kasich gives his take on the Wright Brothers, Trump and Ohio's image (Dayton Daily News, 2/2/2017)

Ohio Gov John Kasich reacts to loss of 300 Amazon jobs to Kentucky (Dayton Daily News, 2/2/2017)

Ohio House speaker rents luxury condo from top GOP donor (Dayton Daily News, 2/2/2017)

Budget chief: Kasich conservative on growth (Toledo Blade, 2/2/2017)

Portman, Brown react to Supreme Court pick (Toledo Blade, 2/2/2017)

Senator's war chest ahead of 2012 pace (Toledo Blade, 2/2/2017)

EDITORIALS

Cities, refugees and the president's flawed executive order (Akron Beacon Journal, 2/2/2017)

Mandel: We are at war with radical Islam (Cincinnati Enquirer, 2/2/2017)

Sen. Rob Portman must lead in legislative efforts to counter President Trump's dangerously expansive travel ban: editorial (Cleveland Plain Dealer, 2/2/2017)

Committed to the law (Toledo Blade, 2/2/2017)

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From: Westlake, Libby
Sent: Thursday, February 2, 2017 8:54 AM
To: Westlake, Libby
Subject: E-Clips for 2/2/2017

HOUSE E-CLIPS

2/02/2017



JUDGE BLOCKS OHIO LAW THAT WOULD BAN SOME LOCAL HIRING RULES

A judge has blocked an Ohio law that would have barred local hiring regulations for public projects, such as Cleveland's requirement that city residents get to work on certain projects.



CRITICS SLAM KASICH'S FLAT-FUNDING OF DRUG-ADDICTION FIGHT

Ohio Gov. John Kasich stood firm Wednesday against charges from lawmakers and others that the state is not doing enough to tackle the nation's leading number of drug-overdose deaths, principally from opioids.

KASICH TAX PLAN FACES QUESTIONS FROM HOUSE PANEL

State Budget Director Tim Keen spent about four hours in front of the House Finance Committee Wednesday testifying and answering a variety of questions about Gov. John Kasich's new two-year budget.

KASICH SAYS STATE DID ALL IT COULD TO LAND \$1.4 BILLION AMAZON HUB

Ohio may have landed three Amazon data centers and two distribution centers in the Columbus area, but Gov. John Kasich today lamented one that got away.

KASICH ADMINISTRATION MAKES FINAL PUSH TO MEDICAID MANAGED CARE

Gov. John Kasich plans to move the last group of Medicaid beneficiaries into private managed care plans, more than 150,000 mostly elderly and disabled Ohioans receiving long-term care services at home or in nursing facilities.

THE DAILY BRIEFING: DAVID PEPPER, JANE TIMKEN DIFFER ON WHICH PARTY HAS MORE ENERGY

The first joint appearance of Ohio's current major political party leaders was highlighted by an energy debate.

EDITORIAL: A CHECKUP FOR FISCAL HEALTH

No one can see the future, but there are ways to get an inkling of where things are headed.

DAYTON MAYOR NAN WHALEY 'CONSIDERING' RUN FOR GOVERNOR

Dayton Mayor Nan Whaley says she is considering a run for governor in 2018.

KASICH GIVES HIS TAKE ON THE WRIGHT BROTHERS, TRUMP AND OHIO'S

IMAGE

Ohio Gov. John Kasich seemed to be in a feisty mood Wednesday when he fielded questions from the press at a forum sponsored by the Associated Press in Columbus.

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KENTUCKY

Gov. John Kasich said Amazon picked northern Kentucky over Wilmington in large part because the airport in Covington has plenty of capacity and the Cincinnati-Northern Kentucky metro area has the workforce.

THE PLAIN DEALER

OHIO GOV. JOHN KASICH PROPOSES ADDING BUSINESS EXPERTS TO LOCAL SCHOOL BOARDS

A proposal from Ohio Gov. John Kasich would add three non-voting members to every local school board to keep them apprised of the needs of the business community.

NEW OHIO GOP CHAIRWOMAN JANE TIMKEN'S MESSAGE FOR KASICH ALLIES:

'I WILL NOT KEEP SCORE'

New Ohio Republican Party Chairwoman Jane Timken pledged Wednesday not to retaliate against those who did not back her campaign.

OHIO TO APPEAL COURT RULING PRESERVING CLEVELAND'S FANNIE LEWIS

LAW

The state will appeal a Cuyahoga County court decision that upheld Cleveland's Fannie Lewis Law guaranteeing that local residents get a percentage of work on public projects.

'RIGHT TO WORK' WON'T BE POPULAR IN OHIO, STATE LAWMAKERS SAY

As congressional Republicans consider a national "right to work" law, Ohio state legislators said Ohioans don't necessarily want anti-union legislation.

OHIO'S 2018 U.S. SENATE RACE ON TRACK TO BE EXPENSIVE: OHIO POLITICS

ROUNDUP

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THE ENQUIRER

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THE BLADE

One of America's Great Newspapers

BUDGET CHIEF: KASICH CONSERVATIVE ON GROWTH

Gov. John Kasich has warned against lawmakers' using rosier revenue projections to justify additional spending over the next two years, but a legislative agency on Wednesday estimated that revenues will climb at a faster pace than his administration has predicted.

The Vindicator

VALLEY LEGISLATORS APPOINTED AS RANKING DEMS TO STATE HOUSE,

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Three Ohio House Democrats who represent the Mahoning Valley were named as ranking minority members on committees in the state Legislature.

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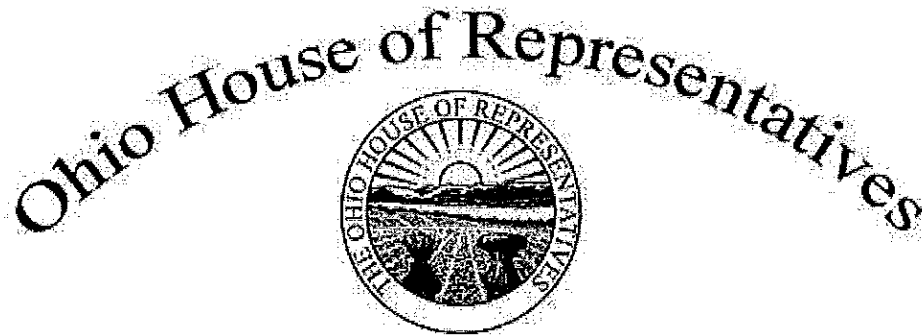
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From: Thawley, Roanna
Sent: Thursday, February 2, 2017 11:08 AM
To: Thawley, Roanna
Subject: DEADLINE EXTENDED Co-Sponsor Request: Public Sector Right-to-Work

****Deadline extended to Monday, February 6, 2017 @
5 PM.****



Representative John Becker
Ohio's 65th House District

MEMORANDUM

To: GOP House Members
From: Representative John Becker
Date: February 2, 2017
RE: Co-Sponsor Request: Public Sector Right-to-Work

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Legislative Aide

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77 S. High Street, 12th Floor | Columbus, OH 43215

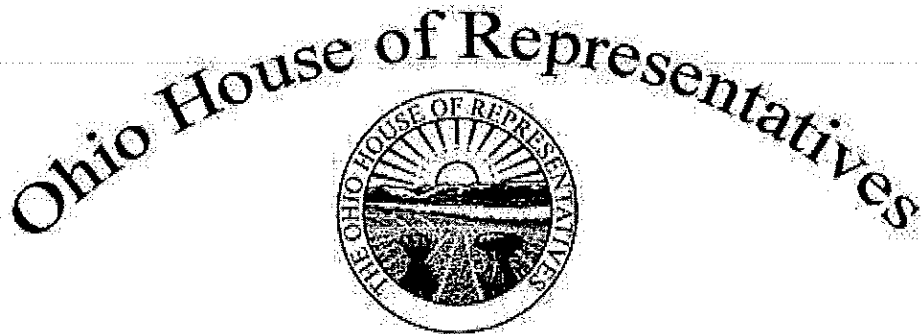
(614) 466-8134

roanna.thawley@ohiohouse.gov

From: Thawley, Roanna
Sent: Monday, February 6, 2017 12:18 PM
To: Thawley, Roanna
Subject: REMINDER: DEADLINE EXTENDED Co-Sponsor Request: Public Sector Right-to-Work

Current co-sponsors are Representatives Hood, Brinkman, Dean, Thompson, Vitale, Goodman, Riedel, Roegner, Merrin, Antani, Zeltwanger, and Keller. If you would like to join, please note the deadline is TODAY at 5 PM.

****REMINDER: Deadline extended to Monday, February 6, 2017 @ 5 PM.****



Representative John Becker
Ohio's 65th House District

MEMORANDUM

To: GOP House Members
From: Representative John Becker
Date: February 6, 2017
RE: Co-Sponsor Request: Public Sector Right-to-Work

I will soon be reintroducing a public sector right-to-work bill. This bill was previously introduced in the 131st General Assembly as HB 583.

There is a national trend of states moving to implement right-to-work laws. With Kentucky being the 27th state to continue that trend, it's time Ohio steps up to the plate. All of Ohio's neighboring states, with the exception of Pennsylvania, have right-to-work laws on the books.

This legislation:

- Provides public sector workers the choice to opt out of union representation and dues.
- Allows non-union employees to voluntarily make financial contributions to a union.
- Protects unions from the requirement of representing non-union employees.
- Appropriates \$30,000 in fiscal year 17 for pamphlets and brochures.

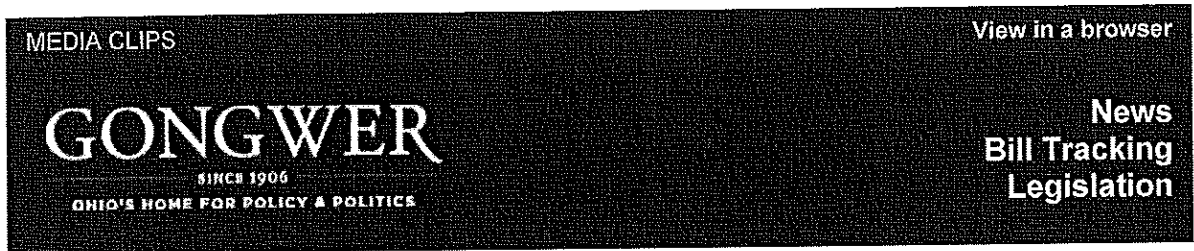
If you would like to co-sponsor this legislation or have any questions, please contact Roanna Thawley at (614) 466-8134 or Roanna.Thawley@ohiohouse.gov. The deadline to co-sponsor is COB, Monday, February 6, 2017. Thank you for your consideration.

Roanna Thawley

Legislative Aide

State Representative John Becker | Ohio House District 65
77 S. High Street, 12th Floor | Columbus, OH 43215
(614) 466-8134
roanna.thawley@ohiohouse.gov

From: Gongwer News Service
Sent: Tuesday, February 14, 2017 8:36 AM
To: DL_Gongwer
Subject: Ohio Media Clips, Tuesday, February 14



NEWS

Election, Women's March prompt women of color to seek office
(Associated Press, 2/14/2017)

How young is too young? 36,000 elementary school suspensions
(Cincinnati Enquirer, 2/14/2017)

Kasich: Enough with the 'Rust Belt' (Cincinnati Enquirer, 2/14/2017)

'Right-to-work' bill introduced in Ohio House (Cleveland Plain Dealer, 2/14/2017)

Josh Mandel, gearing up for 2018 Senate run, has recruited campaign leaders in all 88 Ohio counties (Cleveland Plain Dealer, 2/14/2017)

Learn how much a new college savings proposal in Ohio could save you (Cleveland Plain Dealer, 2/14/2017)

Ohio Gov. John Kasich wants Sandusky to host this year's State of the State address (Cleveland Plain Dealer, 2/14/2017)

That time President Donald Trump crashed a Lindner's wedding: Ohio Politics Roundup (Cleveland Plain Dealer, 2/14/2017)

Kasich to give State of State in home of roller coasters and merry-go-rounds (Columbus Dispatch, 2/14/2017)

Statehouse maneuvering: Householder wants off committees (Columbus Dispatch, 2/14/2017)

The Daily Briefing: Former congressman, state lawmaker form lobbying firm (Columbus Dispatch, 2/14/2017)

The Daily Briefing: Trump's first presidential visit to Ohio canceled (Columbus Dispatch, 2/14/2017)

Your Right to Know: Drug-death records would be secret (Columbus Dispatch, 2/14/2017)

China shipments fuel local drug trade (Dayton Daily News, 2/14/2017)

Gov. Kasich looks to make big changes to K-12 schools (Dayton Daily News, 2/14/2017)

Ohio businesses set to cash in on pot (Dayton Daily News, 2/14/2017)

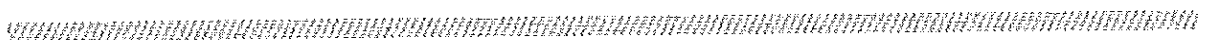
What do you want Gov. Kasich to focus on in 2017? (Dayton Daily News, 2/14/2017)

Bill to honor Walker hits House floor for 3rd time (Toledo Blade, 2/14/2017)

Kasich looks to deliver 2017 address in Sandusky (Toledo Blade, 2/14/2017)

Senators' registry bill moves forward (Toledo Blade, 2/14/2017)

EDITORIALS



Judges do their job in checking the executive (Akron Beacon Journal, 2/14/2017)

Editorial: Funding concerns still exist for College Credit Plus program (Canton Repository, 2/14/2017)

Editorial: More needed to fight overdoses (Columbus Dispatch, 2/14/2017)

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HOUSE E-CLIPS

2/14/2017

AP Associated Press

LOBBYIST PUSHING INTERSTATE CONNECTING TOLEDO, COLUMBUS

A transportation lobbyist says he hopes the Trump administration's promise to invest billions on infrastructure could revive long dormant plans to build an interstate between Toledo and Columbus.

The Columbus Dispatch
Ohio's Greatest Online Newspaper

HOUSE SPEAKER UNHAPPY THAT AMBITIOUS LARRY HOUSEHOLDER WANTS OFF COMMITTEES

A lawmaker trying to resign from his recently approved committee assignments is unusual, especially for a freshman.

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With an up-and-down record of success dealing with his fellow Republicans in the Ohio legislature, perhaps it's appropriate that Gov. John Kasich deliver his annual State of the State speech near the Roller Coaster Capital of the World.

YOUR RIGHT TO KNOW: DRUG-DEATH RECORDS WOULD BE SECRET

The administration of Gov. John Kasich is out to add exemption (gg) to the Ohio public records act.

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A former congressman, the former state tax commissioner and the former No. 2 leader of the Ohio House have teamed up to form a new lobbying and consulting firm.

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A proposal introduced in Ohio Senate last month could sharply increase state income tax savings for some people contributing to 529 Ohio college saving plans.

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THAT TIME PRESIDENT DONALD TRUMP CRASHED A LINDNER'S WEDDING:

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Youngstown is off for President Donald Trump. Sandusky is on for Gov. John Kasich. And Cliff Rosenberger finds a not-so-subtle way to show there's only one Ohio House speaker at a time.

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Ohio schools dole out up to 36,000 suspensions to elementary students each year – a number that stunned a Republican lawmaker into seeking a ban on many suspensions and expulsions.

THE BLADE

One of America's Great Newspapers

SENATORS' REGISTRY BILL MOVES FORWARD

Under a bill about to be introduced, Ohio would join five states that require certain offenders with violent pasts to register their whereabouts, much as sex offenders are required to do.

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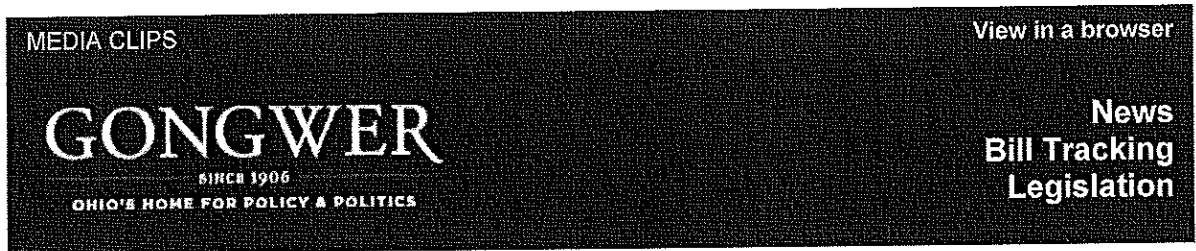
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Sent: Wednesday, February 15, 2017 8:34 AM
To: DL_Gongwer
Subject: Ohio Media Clips, Wednesday, February 15



NEWS

Kasich would block access to heroin death reviews (Cincinnati Enquirer, 2/15/2017)

Kasich: Teachers should job shadow with businesses to renew licenses (Cincinnati Enquirer, 2/15/2017)

Ohio Dems in limbo on governor's race (Cincinnati Enquirer, 2/15/2017)

Josh Mandel's Senate campaign names Portage County chairwoman -- but it's news to her (Cleveland Plain Dealer, 2/15/2017)

Ohio teachers would have to job shadow at a business to renew licenses under Gov. John Kasich's budget (Cleveland Plain Dealer, 2/15/2017)

Sen. Rob Portman says he listened to fierce critics of Betsy DeVos but 'did my own research' (Cleveland Plain Dealer, 2/15/2017)

Superintendents: Cut state tests, end As and Fs on state report cards (Cleveland Plain Dealer, 2/15/2017)

Talk it out: Should Ohio become a 'right to work' state? (Cleveland Plain Dealer, 2/15/2017)

**Are local resources enough to combat Ohio's opioid epidemic?
(Columbus Dispatch, 2/15/2017)**

Brown, Portman say Flynn made right decision to resign (Columbus Dispatch, 2/15/2017)

Latest study: Ohio-style Medicaid may save \$1B a year (Columbus Dispatch, 2/15/2017)

**Most vocational schools would lose funding under Kasich proposal
(Columbus Dispatch, 2/15/2017)**

Ohio House Dems say GOP tax cuts aren't working (Columbus Dispatch, 2/15/2017)

Ohio nurses want law limiting nurse-patient ratios (Columbus Dispatch, 2/15/2017)

**The Daily Briefing: Rob Secaur new executive director of Ohio GOP
(Columbus Dispatch, 2/15/2017)**

Trump may shrink EPA, but effects in Ohio to be delayed (Columbus Dispatch, 2/15/2017)

Cursive handwriting could be required for Ohio students again (Dayton Daily News, 2/15/2017)

New national security adviser a Dayton native (Dayton Daily News, 2/15/2017)

Ohio lawmakers react to resignation of Michael Flynn (Dayton Daily News, 2/15/2017)

Mandel lists campaign leaders for Senate bid (Toledo Blade, 2/15/2017)

Senators' registry bill moves forward (Toledo Blade, 2/15/2017)

EDITORIALS

**Bid to ban Ohio sanctuary cities a craven political ploy: editorial
(Cleveland Plain Dealer, 2/15/2017)**

'You're fired' (Toledo Blade, 2/15/2017)

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HOUSE E-CLIPS

2/15/2017

The Columbus Dispatch
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House Democrats say Ohioans need to wake up and realize the Republican tax plans passed over the past decade have not been working to create jobs.

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Like Ohio's libraries and K-12 school districts, vocational schools soon could be feeling the squeeze of Ohio's tightening purse strings.

LATEST STUDY: OHIO-STYLE MEDICAID MAY SAVE \$1B A YEAR

Even if your eyes glaze at the mere mention of Medicaid, this might widen your peepers: Ohio's revamped setup is saving taxpayers \$1 billion annually — and the amount is growing.

OHIO NURSES WANT LAW LIMITING NURSE-PATIENT RATIOS

Arguing that hospitals put patient care at risk by overworking essential front-line caregivers, nurses across Ohio are pushing lawmakers to limit the number of patients for whom they are responsible.

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Will the state Department of Education ever discipline dozens of Columbus City Schools principals and other administrators who participated in the district's data scandal?

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The Ohio Republican Party has a new person in charge of the day-to-day operations.

THE DAILY BRIEFING: JOANNA SAUL HIRED AS PLANNED PARENTHOOD STATE LEGISLATIVE LIAISON

Joanna Saul has a new job with Planned Parenthood of Greater Ohio as vice president of government affairs and public advocacy.

Dayton Daily News
www.daytondailynews.com

2 REASONS ONE DEMOCRAT SAYS 'OHIO IS GOING IN A TERRIBLE DIRECTION'

Ohio Democratic Party Chairman David Pepper will visit Butler County tonight to talk about the upcoming statewide political cycle.

WEST CHESTER WEIGHS IN ON OHIO'S 'RIGHT-TO-WORK' LEGISLATION

West Chester Twp. trustees say it would be great if Ohio turned into a "right to work" state, because then the township wouldn't have to.

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THE BLADE One of America's Great Newspapers

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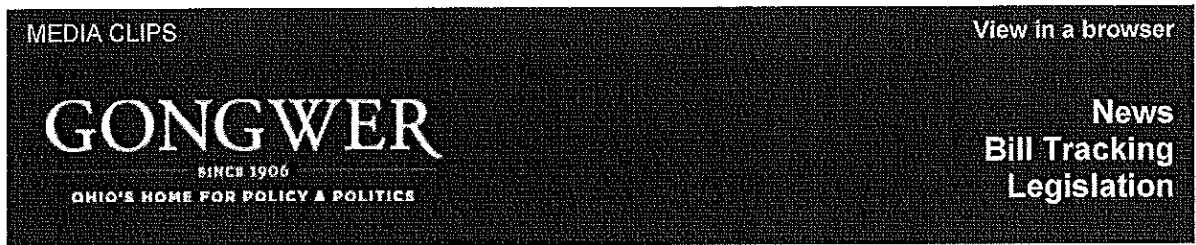
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NEWS

Ohio bill: Kill the tampon tax (Cincinnati Enquirer, 2/16/2017)

Andrew Puzder, Trump's Cleveland-born labor secretary nominee, withdraws amid controversy (Cleveland Plain Dealer, 2/16/2017)

Gov. John Kasich headed for Germany, England (Cleveland Plain Dealer, 2/16/2017)

Marsy's Law for Ohio begins campaign for crime victim ballot initiative (Cleveland Plain Dealer, 2/16/2017)

Ohio congress members Marcia Fudge, Tim Ryan back Jaime Harrison of SC for DNC chair (Cleveland Plain Dealer, 2/16/2017)

Talk it out: Should Ohio become a 'right to work' state? (Cleveland Plain Dealer, 2/16/2017)

Sherrod Brown, 10 other senators, call for special investigation of Flynn (Columbus Dispatch, 2/16/2017)

Sherrod Brown, Ohio labor leader glad that Puzder withdrew (Columbus Dispatch, 2/16/2017)

The Daily Briefing: It's official, Portman supports Gorsuch for Supreme Court (Columbus Dispatch, 2/16/2017)

The Daily Briefing: Kasich talking security, jobs in Germany, United Kingdom (Columbus Dispatch, 2/16/2017)

Crime victims seek more rights and protections in Ohio constitution (Dayton Daily News, 2/16/2017)

Ohio working on marijuana 'seed to sale' tracking (Dayton Daily News, 2/16/2017)

Should Ohio schools start after Labor Day? (Dayton Daily News, 2/16/2017)

Some speed limits in Ohio may change daily depending on traffic (Dayton Daily News, 2/16/2017)

Ohio clears wording of cocaine sentencing (Toledo Blade, 2/16/2017)

EDITORIALS

Trump, Flynn and the Russian link (Akron Beacon Journal, 2/16/2017)

Editorial: Enrollment drop is real problem (Columbus Dispatch, 2/16/2017)

Escaping DeVos (Toledo Blade, 2/16/2017)

We owe them (Toledo Blade, 2/16/2017)

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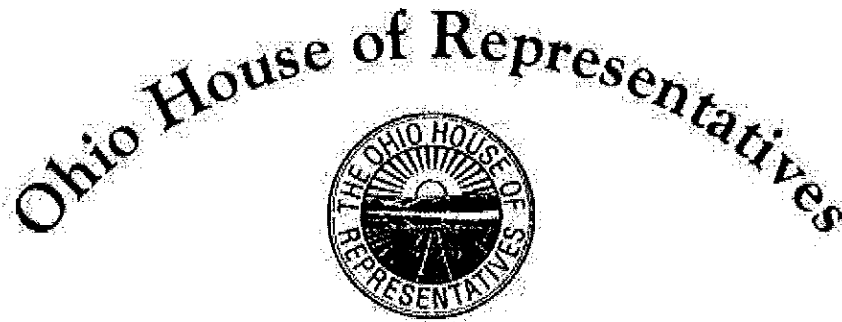
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From: Miller, Josh
Sent: Friday, February 17, 2017 4:12 PM
To: Members_All; Staff_All
Subject: Co-sponsor Request: Private Sector Right to Work



Tom Brinkman, Jr.
State Representative, 27th District
MEMORANDUM

To: All House Members
From: Representative Tom Brinkman, Jr.
Date: February 17th, 2017

RE: Private Sector Right to Work

I will soon be introducing Private Sector Right to Work legislation. Our neighboring states of Michigan, Kentucky, West Virginia, and Indiana have passed Right to Work, and it is long overdue here in Ohio.

This important bill will help make Ohio businesses more competitive and prosperous by eliminating forced union dues and memberships. **No one should be forced to pay a union to get or keep a job.**

If you are interested in co-sponsoring please contact my legislative aide Josh Miller at 614-644-6886 or Josh.Miller@ohiohouse.gov by the close of business on March 3rd.

Thank you,

Tom Brinkman, Jr.
Ohio House of Representatives

District 27

From: Westlake, Libby
Sent: Friday, February 24, 2017 8:25 AM
To: Westlake, Libby
Subject: E-Clips for 2/24/2017

HOUSE E-CLIPS

2/24/2017



OHIO, WISCONSIN KICK-START TALKS ON MANAGING TRUMP EFFECT

Republican legislative leaders from Ohio and Wisconsin are working together, hoping other states will join them, as they prepare for changes in how the federal government under President Donald Trump deals with states.

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Ohio lawmakers have signed off on the governor's plan to deliver his annual State of the State speech in Sandusky.

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The group said too few schools have identified how resources will improve college affordability and education quality.



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LT. GOV. TAYLOR CREATES GUBERNATORIAL CAMPAIGN COMMITTEE

It comes as no surprise, but Mary Taylor now is a formal candidate in the crowded field for the Republican nomination for governor in 2018.

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Ohio Gov. John Kasich is among a small group of governors being called upon by congressional Republicans to help craft a solution to the Medicaid expansion conundrum amid the repeal and replacement of Obamacare.

Dayton Daily News
www.daytondailynews.com

NEW RULES SET FOR MEDICAL MARIJUANA USE IN OHIO

Ohio is taking steps to make sure medical marijuana isn't pitched in a way that is attractive to kids by banning cartoon characters, candy look-alikes and fruit shapes and requiring child-resistant packaging.

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THE PLAIN DEALER

MARY TAYLOR FOR GOVERNOR LAUNCHES

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Local governments could opt out of paying Ohio's prevailing wage on public construction projects under a new proposal from state Sen. Matt Huffman.

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THE BLADE

One of America's Great Newspapers

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(One of America's Great Newspapers)

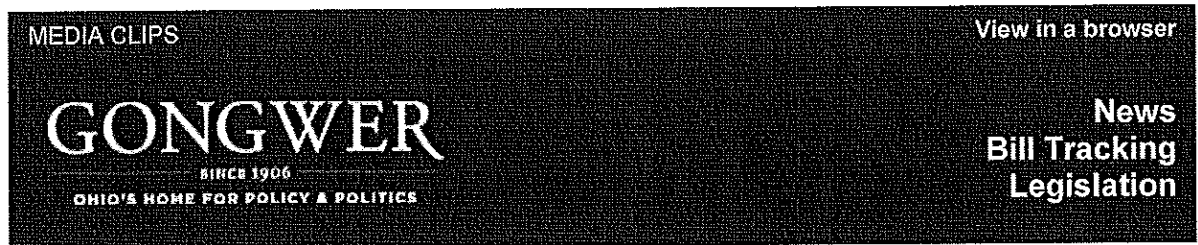
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Sent: Friday, February 24, 2017 8:30 AM
To: DL_Gongwer
Subject: Ohio Media Clips, Friday, February 24



NEWS

GOP effort could ax prevailing wage for workers (Cincinnati Enquirer, 2/24/2017)

Hundreds gather to protest Mitch McConnell and Donald Trump (Cincinnati Enquirer, 2/24/2017)

2018 Ohio governor's race gets more 'official' with Mary Taylor: Ohio Politics Roundup (Cleveland Plain Dealer, 2/24/2017)

Halt Ohio's ESSA plan until state testing is cut, 150 angry educators, officials tell state (Cleveland Plain Dealer, 2/24/2017)

Indivisible town hall attendees take on the absent Rob Portman at Cleveland church (Cleveland Plain Dealer, 2/24/2017)

Ohio cities could stop paying prevailing wage to construction workers under proposed bill (Cleveland Plain Dealer, 2/24/2017)

Proposed limits for medical marijuana supply in Ohio among strictest (Cleveland Plain Dealer, 2/24/2017)

Sean Spicer headlining D.C. fundraiser for Ohio Sen. Frank LaRose (Cleveland Plain Dealer, 2/24/2017)

Buckeye, Cheesehead leaders team up to tackle Trump-era challenges (Columbus Dispatch, 2/24/2017)

GOP leaders oppose teacher 'externship' plan (Columbus Dispatch, 2/24/2017)

Kasich summoned to help craft Medicaid solution amid Obamacare repeal (Columbus Dispatch, 2/24/2017)

Mary Taylor now formally governor candidate (Columbus Dispatch, 2/24/2017)

Natural gas tax kicked from budget (Columbus Dispatch, 2/24/2017)

Trump's transgender policy won't change how most local schools operate (Columbus Dispatch, 2/24/2017)

Who really stopped Dems from attending Portman speech? (Columbus Dispatch, 2/24/2017)

Bills would streamline prescription process for Ohio patients (Dayton Daily News, 2/24/2017)

John Boehner: Repealing Obamacare just 'happy talk' (Dayton Daily News, 2/24/2017)

New rules set for medical marijuana use in Ohio (Dayton Daily News, 2/24/2017)

Gun silencer bills could spark sales (Toledo Blade, 2/24/2017)

Report finds \$1B in savings in higher ed (Toledo Blade, 2/24/2017)

EDITORIALS

Deportation force, as pledged (Akron Beacon Journal, 2/24/2017)

Editorial: Talking is better than dodging (Columbus Dispatch, 2/24/2017)

Portman under wraps (Toledo Blade, 2/24/2017)

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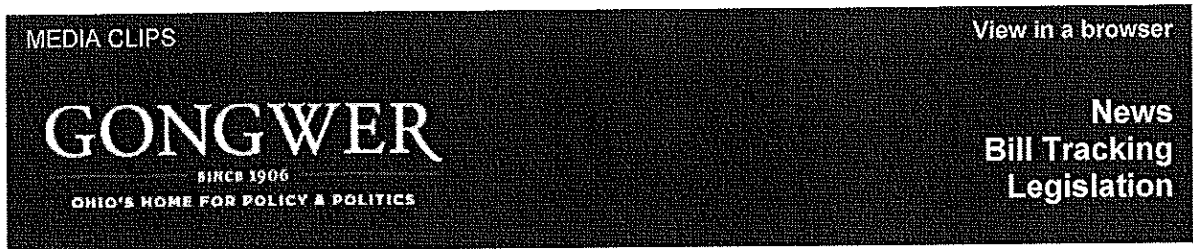
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NEWS

Kasich cleared to give State of the State speech in Sandusky (Akron Beacon Journal, 2/27/2017)

Ohio bill outlawing marital rape gets no GOP support, again (Akron Beacon Journal, 2/27/2017)

After bitter feud, Kasich and Trump try to mend fences (Cincinnati Enquirer, 2/27/2017)

Kasich budget assumes Cincinnati could raise more taxes (Cincinnati Enquirer, 2/27/2017)

Kasich to GOP: Full Obamacare repeal 'not acceptable' (Cincinnati Enquirer, 2/27/2017)

Portman denies keeping Democrats out of political event (Cincinnati Enquirer, 2/27/2017)

Gov. John Kasich and Rep. Jim Jordan duel on TV over Obamacare repeal (Cleveland Plain Dealer, 2/27/2017)

Gov. John Kasich talks with President Trump about reforming Obamacare (Cleveland Plain Dealer, 2/27/2017)

Ohio congress members seek investigation of Jewish community center bomb threats (Cleveland Plain Dealer, 2/27/2017)

Tom Gunlock, former state school board president, leaves board (Cleveland Plain Dealer, 2/27/2017)

Capitol Insider: Kasich can relate to Trump's kerfuffles (Columbus Dispatch, 2/27/2017)

Grass-roots foes of Trump, GOP make noise in Ohio (Columbus Dispatch, 2/27/2017)

Kasich says town hall protests might be getting through to Capitol Hill (Columbus Dispatch, 2/27/2017)

Kasich, GOP at odds over Medicaid coverage (Columbus Dispatch, 2/27/2017)

Ohio may pay counties to take inmates off its hands (Columbus Dispatch, 2/27/2017)

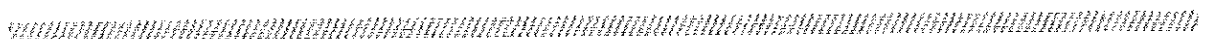
Trump has many believers in small-town Ohio (Columbus Dispatch, 2/27/2017)

Kasich fights for federal health care funds (Dayton Daily News, 2/27/2017)

Local governments told to 'open books' (Toledo Blade, 2/27/2017)

Ohio officers tasked with keeping race, gender data (Toledo Blade, 2/27/2017)

EDITORIALS



A better death penalty for Ohio (Akron Beacon Journal, 2/27/2017)

Bickering over Gov. Kasich's traveling State of the State passes for political discourse in Ohio: Thomas Suddes (Cleveland Plain Dealer, 2/27/2017)

Keep defending Ohio Medicaid expansion, Gov. Kasich: editorial (Cleveland Plain Dealer, 2/27/2017)

Editorial: Victims seek more court leverage (Columbus Dispatch, 2/27/2017)

Governor got this right (Toledo Blade, 2/27/2017)

Right-to-work law still totally wrong for Ohio (Youngstown Vindicator, 2/27/2017)

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From: Ohio House Republican Communications
Sent: Monday, March 6, 2017 4:56 PM
Subject: GOP Week in Review 2/27/17 – 3/5/17



OHIO HOUSE OF REPRESENTATIVES

Majority Communications Department

GOP Week in Review

2/27/17 – 3/5/17

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Cincinnati Enquirer: Guest column from Rep. John Becker: New right-to-work bill restores workers' rights

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Subject: Five Things You Need to Know This Week

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April 10, 2017

1. *In the Nation:* Diabetes is Even Deadlier than We Thought, Study Suggests

Nearly four times as many Americans may die of diabetes as indicated on death certificates, a study that would bump the disease up from the seventh-leading cause of death to No. 3, according to estimates in a recent study.

2. *In the State:* 2018-2019 State Budget, As Introduced: Ohio Departments of Job and Family Services, Mental Health and Addiction Services, and Aging

As Governor Kasich's final state budget makes its way through the Ohio House, this edition of **SBudgeting Matters** takes a closer look at the Ohio Departments of Job and Family Services, Mental Health and Addiction Services, and Aging budget requests, as introduced. The report explores the state's TANF spending plan, senior nutrition, multi-system youth and many other issues impacting Ohio's health and human services.

3. *In the Region:* Cuyahoga County Infant Mortality Data Reveals Big Hurdles

During the past few months, leaders of the region's fledgling infant mortality initiative, **First Year**

Cleveland, have been digging through birth, death and medical records to assemble the first local picture of these lost children: who they were, what killed them, and both when and what kind of care their mothers received.

4. At Community Solutions: The Medicaid Policy Institute Welcomes OSU's Dr. Sheldon Retchin
On **Thursday, April 27**, The Center for Community Solutions will host OSU Wexner Medical Center's CEO **Dr. Sheldon M. Retchin**, MD, MSPH, in its second installment of its Medicaid Policy Institute series. Join us as we hear from Dr. Retchin about his perspectives on public policy, the future of Medicaid, and how it can affect safety net academic medical centers and physicians. [Click here](#) to learn more.

5. This Week's Featured Infographic: Housing Choice Vouchers Work

In a recent [blog series](#), *Center on Budget and Policy Priorities* has been exploring facts and figures about the Housing Choice Voucher Program. As this week's graphic shows, this important rental assistance program helps some of our country's most vulnerable populations maintain stable, affordable housing. Learn more [here](#).



Get to know the Health and Human Services Levy in our latest County Budgeting Matters.

From: Seitz, William
Sent: Tuesday, April 11, 2017 11:03 PM
To: Wolf, Jimmy
Subject: Fwd: Wind News - Ohio Setbacks in Play
Attachments: mime-attachment.jpg; mime-attachment.jpg; mime-attachment.jpg; mime-attachment.jpg; mime-attachment.png; mime-attachment.jpg; mime-attachment.jpg; mime-attachment.jpg

Send this to Reps Faber Riedel Reineke Sen, Hite Balderson Beagle Strigari Lehman Kasych with note, please read every word of this long chain. There is no way on Gods Green Earth that we should even consider for a millisecond changing the wind setbacks in the budget. Any of you that want to discuss this topic, I am game but not in the budget and the ardor to change them should be tempered by what you read below. Send copy to Kevon Tom Julie.

Sent from my iPhone

Begin forwarded message:

From: Kevon Martis <kevon@kevonmartis.com>
Date: April 11, 2017 at 9:04:53 PM EDT
To: julia johnson <juliejohnson@ctcn.net>, "Seitz, William" <william.seitz@dinsmore.com>
Subject: Re: Wind News - Ohio Setbacks in Play

A "flier"???? IT's from the f***** Michigan State University Extension, Greening Michigan Institute, Government and Public Policy Team!!!! That's the best they have?

MSE extension educates every planning commissioner in the State of Michigan!

Sorry...tired.

On 4/11/2017 8:52 PM, julia johnson wrote:

Friends,

We regret that a series of computer malfunctions left us out of communication over the past two weeks. During that time the wind industry lobby has been working to get the Ohio Senate to insert a provision in the budget bill rolling back the current property line setback. At the same

time, Rep. Bill Seitz has suggested that some kind of compromise on setbacks may need to be inserted in the mandate repeal bill (HB 114) when it is considered in the Senate. Seitz tells us that might be the cost of getting a veto-proof majority of Senate votes necessary to override a veto by Governor Kasich. As we understand it, a setback-related amendment to HB 114 would give township trustees the power to override current setbacks. When asked about conflicts of interest, Rep. Seitz said, *"Under my proposal, the trustees could not vote if they were participating leaseholders. My guess is that letting the trustees override the state setbacks would not result in much change as the people in the township would likely pressure them to not approve it."* What we do not know at this point is whether the township trustees would be given the opportunity to lengthen setbacks as well as shorten them.

AWEA and the environmentalists are working hard to reverse protective setbacks. What we hope does not happen, is that the current setbacks are changed AND the township trustees are given authority to put them back only to preexisting property line measurements. There seems to be no dialog on noise or shadow flicker just distance.

In the meantime, during the past two weeks the press has reported setback controversies in Michigan, South Dakota, Rhode Island, Minnesota and Colorado. And those are just the stories we noticed.

We also draw your attention to the LeedCo Icebreaker project (aka taxpayer boondoggle) in Lake Erie. The OPSB did not accept the application as complete and has requested the LeedCo resubmit. Today the American Bird Conservancy wrote in the Chicago Tribune that all turbines should be kept out of the Great Lakes due to enormous projections of migratory slaughter. We understand that many, many people wrote comments in opposition to the LeedCo project. Now that the application must be submitted, we are told all those comments will be lost and the public will have to start over.

We are glad to be back on line and urge everyone to call their local legislators to counter the spin coming from AWEA. Cut and paste the articles about problems in other states to demonstrate these problems are real.

Diane and Julie

PS We include at the very bottom a profile of first term Ohio Rep. Craig Riedel from Defiance.

Ohio Statehouse News

April 11, 2017 OHIO

Wind, Environmental Groups Eyeing Senate For Budget Amendment To Reduce Wind Setback

A coalition of wind energy advocates is laying the groundwork for a budget effort to reduce Ohio's turbine setback once the two-year spending measure arrives in the Senate.

Advocates said in interviews they believe senators are more amenable to their proposal to revert the setback to what it was before lawmakers increased it to 1,125 feet in a 2014 mid-biennium review budget bill, effectively killing new wind farm development.

At the same time, members of both House caucuses submitted proposed budget amendments last week offering several options to reduce the current setback.

A proposal from Rep. Bill Reineke (R-Tiffin), for instance, would reduce the setback to one-and-a-half times the height of the turbine. Although not as lenient as the pre-2014 setback, he believes it's a "good compromise" between the two sides.

"Wind is a big resource in my district and I've had a lot of requests for those setbacks to be looked at," Rep. Reineke said. "It increases it slightly over what it was pre-2014. And it changes some of the hearing requirements for the neighbors to be able to sign off if they would choose to do so. It gives it a little bit more flexibility."

Rep. Reineke said he believes there's an appetite in the House to reexamine the issue.

Whether any of those amendments will make it into the House's substitute budget (HB 49) bill expected to be unveiled April 25 is yet to be seen. But even if the House chooses to pass on the issue, advocates believe the Senate may be more willing to act.

"I certainly think there's a possibility of it (happening)," said Dayna Baird Payne, who represents the American Wind Energy Association and other proponents. "I think there is some openness in the Senate currently." She credits much of that openness to Sen. Cliff Hite (R-Findlay), whose district would likely contain any new wind development. But advocates say the Senate overall has greater institutional knowledge of the issue and offers an easier route to generate a consensus given its smaller size.

"I think there's some understanding on that leadership team this is an issue about economic development and removing an artificial market barrier," Ms. Payne said. "If a company wants to build a wind project, locals want that project and an end user wants to purchase that wind, this stands in the way and prevents it."

The Sierra Club and the Ohio Environmental Council are among other groups hoping for a setback change in the Senate. At the same time, they continue pushing back against a Michigan State University document some Republican representatives have said justifies an additional increase in the setback.

Rep. Keith Faber (R-Celina) and Rep. Bill Seitz (R-Cincinnati) have repeatedly pointed to the document in recent weeks, saying that if the legislature really wants to take the issue back up it should increase the setback to 2,500 feet.

Wind supporters, though, point out that what the lawmakers have called a "study" is referred to as a "flier" by its author and that it states a setback equal to the tower's height would be adequate. Under that rationale, they said, the state's previous setback would suffice.

"We're watching this issue," OEC General Counsel Trent Dougherty said. "Obviously, we don't believe there should be even more of an increase...so we're watching for that and expressing our opposition."

Sierra Club Ohio Chapter Director Jen Miller called the idea "ridiculous," since turbine development has already come to a virtual halt under the current setback.

"Eighty percent of wind in Ohio is actually serving markets outside of Ohio," Ms. Miller said. "We should just be fixing our problem now. We've already zoned ourselves out of the wind business."

<http://www.marion-press.com/2017/03/wind-turbines-unsafe-at-any-distance/>

The Marion Press - MICHIGAN

Tuesday, April 11, 2017

"Wind Turbines: Unsafe at any distance"



Dear Editor:

Last December, one of the turbines at the Stoney Corners wind facility burst into flames and was completely destroyed. Black smoke darkened the sky and heavy winds spread ash and burning particles on fields and properties nearby. For days the acrid odor of smoldering composites lingered in the air and seeped into my home along with several other homes in the area of the fire.

By the next day, what was left of the turbine was hauled off and some of the contaminated top soil was bulldozed into a

pile where it still sits, three months later. What assurance is there that contaminants from the burned turbine are not filtering into the groundwater below?

Heritage Sustainable Energy, who owns the project, told the local press that turbine fires have never happened before in McBain. That may be so, but as a wind developer, Heritage is well aware that fire is the second largest cause of turbine failure worldwide and the problem is growing. Heritage touts wind power as clean and emission free but no one ever mentions the toxic pollutants released when the blades and other parts of the nacelle are ignited or the hazards of inhaling the gas and particles emitted by the fire.

"More than ten of the 28 Heritage turbines are sited within two miles of my home with the closest just 1700 feet away." Back in 2008 when I agreed to sign a contract with Heritage, something I deeply regret, no one informed me of the dangers of living so close to the spinning towers. I can tell you first hand that wind turbines are not safe for humans, animals, birds of all sorts, the environment, or your electric bill. They are Not Green, Not Clean and Not Cheap.

If the state and its legislators continue to blindly insist that wind turbines are safe, they should advocate projects be sited on State and Federal land away from communities where they pollute our countryside and put people and property at risk.

There are alternatives to wind power that do not carry the same dangers and that are safer for humans, animals, birds and our countryside. Be warned and say "no" to wind power in your community.

Dianne Ziegler

<http://www.faribaultcountyregister.com/page/content.detail/id/512142/Fighting-the-winds-of-change.html>

Fighting the winds of change

Pilot Grove Township residents want stricter wind ordinance

April 9, 2017

Cody Benjamin - Register Staff Writer Faribault County Register MINNESOTA

When the Coalition for Rural Property Rights stormed the Faribault County Courthouse on Tuesday, it was not an officially licensed organization.

But in claiming support from nearly 90 percent of Pilot Grove Township residents, overflowing the county commissioners room with agricultural advocates and literally standing in unison to plead for greater setbacks and a more restrictive ordinance pertaining to wind turbines in the county, it made its stance as official as could be.

The Coalition brands itself as "a group of Iowa landowners standing against the encroachment of industrial wind installations," but its representatives at Tuesday's meeting mostly identified themselves as Pilot Grove residents particularly ones perturbed at a Rose Lake Wind Project proposed by the independent power producer EDF Renewable Energy.

The Faribault County Board meeting room was overflowing last Tuesday, when residents of Pilot Grove Township and others testified before the commissioners about their concerns about wind turbine development. With at least four locals reading prepared statements, several others chiming in from behind walls of other guests and the County Board forced to oversee crowded seating arrangements as much as the discussion at hand, the Coalition prefaced a visit from EDF's Shanelle Montana, a senior project developer, with adamant requests for a crackdown on turbines.

Not one of the guest speakers denied the financial benefit of wind generation, which Montana went on to crown as "an additional resource" for "cheap electricity" and therefore an obvious draw for local businesses. But complaints of everything from noisy turbine malfunctions to an alleged ignorance of the county's agricultural roots

rang loud and clear as the Coalition suggested the commissioners adopt the Goodhue County wind-structure ordinance, which enforces greater setbacks than that of Faribault County's renewable energy restrictions.

Paul Carr, who said he has mostly been a lifelong Pilot Grove Township resident, helped kick off the campaign. "I come here," Carr said, "representing and on behalf of about 88 percent of Pilot Grove Township residents, who have signed a petition to increase a setback of commercial wind generators to non-participating residences."

Saying that current setbacks, which dictate that wind turbines can be placed roughly 1,000 to 1,500 feet from such residences, are "not far enough to prevent material harm" such as added noise, shadow flicker and "a complete change of environment," Carr asked that local constituents be prioritized over the economic boosts of projects like the one proposed by EDF.

Montana later countered by suggesting the EDF project, which would span from Pilot Grove Township into Martin County, would not begin taking shape until 2020. By that point, such a project would not be federally subsidized, therefore potentially lessening the financial burden on local communities.

But concerns remained.

"Most object to an object roughly the size of a Boeing 747, over 400 feet in the air and constantly moving, being placed within 1,000 to roughly 1,500 feet of them," Carr said. "Without more setbacks for large wind turbines, the county may find itself with more money to spend on a public garage (only) to serve its fewer residents."

Carolyn Zierke, a local agronomist of 25 years, wondered aloud why counties, especially Faribault County, would even consider uprooting or impeding upon signature farmlands for the sake of wind projects.

"Why are counties overlaying an industrial zone on top of a productive agricultural zone?" she asked. "A turbine is not a piece of farm equipment, and it is not a farm structure."

Dan Moore, once a director of project development for Renewable Energy Solutions and one of the developers behind Blue Earth's Big Blue Windfarm, agreed.

"I sat here in this same seat 14 years ago," Moore said, referencing a decades-old visit to the County Board regarding turbine development. "Today, I am here as a retired wind generator developer ... and I am asking for the adoption of the Goodhue County ordinance."

Reviewing his own history in campaigning for wind energy, Moore reminded the board that he helped other turbines, including those at Winnebago's Corn Plus ethanol plant, come to life.

But after discovering some of the faults of turbine projects, particularly noisy side effects, he made it clear Tuesday that he was standing with none other than the waves of Pilot Grove people behind him.

"Had I known they would be this noisy, guys," he said, referring to the Big Blue turbines, "listen, I would never have started developing that project."

Producing an apple from his shirt pocket and leaving it on the guest podium in front of the commissioners, Moore asked the board to overlook promises of more money for the concerns of the rural residents.

"Don't get mesmerized by the apple money," he said.

"Don't let the illusion of big money generated by these big machines cloud your judgment in protecting the residents who are forced to live around these big machines. These are the families that have elected you guys to protect them, so please don't bite the apple."

Others reiterated the alluring, albeit apparently deceiving, role of money in the matter.

"In the end, it seems like the money always wins," one man said from the mass of guests, saying the county already houses 22 industrial-sized turbines. "EDF is on the agenda after us, and I'm sure they're going to tell you how great this is, how every project they've built has left counties rich and happy, because that's what this big push for wind is all about money."

When Montana, of EDF, was finally summoned to speak, weaving through the crowd of standing guests to make herself seen, she did not ignore money's part in the discussion.

But her first point centered on the fact that EDF will not pursue any project, let alone one that allegedly threatens the well-being of nearly an entire township, without the community's support.

"I'm not here to shove a project down anyone's throat," Montana said, recounting her own upbringing as a "farm girl." "I'm just here to present something. We're only here if we have a willing partner, and that partner is a community."

Claiming that the state of Minnesota already owns some of the strictest wind turbine setbacks in the country, Montana assured some of the concerned residents that if any malfunctioning or noisy structures reached certain decibel levels, they would be shut down.

"A decommissioning plan is required with these projects," she noted.

All things considered, Montana still urged the commissioners to weigh their options. "This is up to the community," she said. "I just want you to know that if you have an additional setback, I cannot efficiently and effectively develop a low-cost project."

Pilot Grove visitors flocked to the EDF developer after departing the commissioners room, some alleging that a February public meeting on the proposed turbine project was available through "private invitation only," and others saying they heard EDF partners are contracted not to speak negatively about polarizing projects.

But more talks regarding the future of the project, and the ordinance that might inhibit it, are on the docket.

Commissioner Greg Young, who acknowledged most of the concerns stemmed from a township he represents, agreed

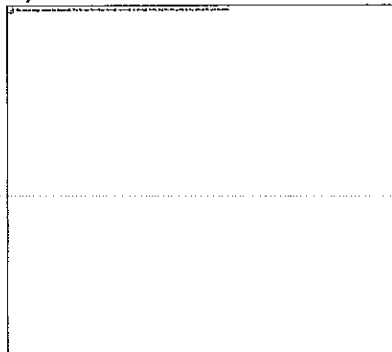
with board chairman John Roper that a work session with the county's Planning and Zoning department was in order. A unanimous vote by the commissioners then scheduled that session for April 18, immediately following the board's next regular meeting.

And now, having shared or considered opinions from both sides of a windy spectrum, the county, Montana and the Coalition for Rural Property Rights wait.

http://www.starbeacon.com/news/local_news/conneaut-wind-turbine-facing-uncertain-future/article_2ca4767c-b0e9-5bd2-9215-22d8377023fc.html

Conneaut wind turbine facing uncertain future

By MARK TODD OHIO



WARREN DILLAWAY | Star Beacon

An arm of a Conneaut Harbor wind turbine was severed by lightning last month.

CONNEAUT — A wind turbine severely damaged by lightning late last month is facing an uncertain future on Conneaut's lakefront.

At Monday's City Council meeting, City Manager James Hockaday said the turbine's owner, NexGen Energy, wants a long-term renewal of its contract with the city before it will proceed with repairs.

The 400-kilowatt turbine was constructed in January 2010 to provide some of the electricity used by the city's sewage

treatment plant. On Feb. 25, lightning blew apart one of the turbine's blades. A power surge from the blast also damaged some equipment and fixtures inside the plant.

A contract with NexGen obliges the city to buy electricity generated by the turbine for 10 years. The contract expires in 2020.

Hockaday said NexGen estimates repairs to the turbine will cost \$250,000. To make the fix-up financially feasible for NexGen, the company would require an extension to its contract with the city, he told council.

A contract proposal is being prepared and will be shared with council when it's delivered, Hockaday said. If no agreement on a contract extension is reached, the city would ask the turbine be disassembled and removed.

NexGen said the damage to the turbine was among the most severe the company has experienced, Hockaday said Monday. The extent of damage to the plant is still being assessed, he said.

The biggest concern is a blower motor on one piece of equipment that is not working properly.

In August 2011, 18 months after the turbine was installed, lightning damaged a blade that was replaced several months later.

A NexGen spokesperson could not be reached for comment.

Another NexGen wind turbine, a 600-kilowatt model adjacent to Conneaut Middle School on Gateway Avenue, has been idle for years. NexGen is suing the manufacturer, alleging parts were defective. The turbine, designed to provide electricity to CMS, never performed as planned since it went online in late 2009, according to the lawsuit, filed in 2013.

Repairs to the school turbine won't happen until the lawsuit is settled, NexGen officials said at the time.

<http://gazette.com/reassurances-fail-to-convince-some-neighbors-el-paso-county-wind-farm-is-safe/article/1599581>

Reassurances fail to convince some neighbors El Paso County wind farm is safe

By: Rachel Riley

March 23, 2017 Updated: March 24, 2017 at 6:21 am **COLORADO**

Residents living by a wind farm near Calhan say the turbines are affecting their health and harming animals, despite reassurances from experts at this week's El Paso County commissioners' meeting.

Jeff Wolfe, who lives close to NextEra Energy's Golden West wind farm, said he's experienced nausea, dizziness and migraines since it began operating in fall 2015. He attributes the symptoms to the low-frequency sound waves, known as infrasound, emitted by the 145 windmills.

"This is poisoning people. It's poisoning animals," said Wolfe, who has lived at his home between Yoder and Calhan for 20 years. He also blames the turbines for the cardiovascular problems his wife has begun to experience and the death of seven of their animals, including five dogs.

At the meeting, intended to provide commissioners and residents with an update on the wind farm, county staff and NextEra officials presented reports on the sound levels of the windmills and the flickering effect, known as "shadow flicker," that occurs when the sun shines through the turbines' rotating blades. A half-dozen residents also had the chance to air their grievances about the wind farm, approved by commissioners in 2013, which has long been a source of controversy.

Experts told commissioners that study after study has shown the infrasound generated by windmills isn't hazardous to humans, and the levels of infrasound and

amount of shadow flicker created by the turbines are in compliance with local regulations and zoning rules.

John Dailey, senior business manager for the Florida-based energy company, said the company has received 83 complaints about the project since March 2015, a month after commissioners OK'd a change to the original construction plan that included a 29-mile above-ground power line.

About 70 of the complaints were made during the seven months the farm was being built and mostly involved construction-related concerns about noise and dust. Of the roughly 15 others that have been made since the \$400 million project was completed, more than half have been resolved, Dailey said.

"I think that's a pretty good track record," he told commissioners.

Assessor Steve Schleiker also presented data from June through January showing property values in the area have not fallen due to the wind farm. Properties sold within a one-mile radius of the turbines and transmission line went for prices well above market values. He also cited numbers from the Pikes Peak Multiple Listing Service that showed that average sale prices of single family homes in the Calhan and Ramah area increased by about 45.5 percent between February 2016 and February 2017.

"Bottom line, it's all good news," he told commissioners.

A consultant with environmental engineering and consulting firm Epsilon Associates, hired by NextEra to conduct studies on sound levels and shadow flicker that were required by its agreement with the county, presented the firm's findings.

One report, which measured noise levels at 15 different locations near the wind farm, concluded that the turbines do not exceed the noise limit set by county ordinance. The second report, which used a computerized model to measure the duration of shadow flicker experienced by homes near the farm, stated that most of the homes

experience less than the 30-hour-per-year maximum imposed by county regulations. The two exceptions were homes that are not included in the requirement because their owners have voluntary agreements with the company.

While research has linked high levels of infrasound to symptoms such as headache and nausea, the levels created by the turbines are too low to pose health risks, said Chris Ollson, an environmental health scientist who spoke at the meeting.

But residents who testified during the public comment part of the meeting dismissed the data, saying the infrasound and shadow flicker are still taking a toll.

"It's changed our life dramatically," said Joe Cobb, who lives close to the wind farm. "And I don't care how many experts come up here and tell me it's perfectly normal. It's not perfectly normal."

Several of the complaints the company has yet to resolve were made by people who spoke at the meeting, said Steve Stengel, director of communications for NextEra. "We will continue to seek a satisfactory resolution with these individuals," Stengel said in an email following the meeting.

Commissioner Darryl Glenn said his colleagues and county staff would review residents' concerns and some of the research that was provided by objectors.

Glenn also encouraged residents to use the formal complaint process, outlined in NextEra's contract with the county, to express their concerns about the effects of the windmills.

Under the terms of the contract, commissioners have the option to "require additional and reasonable mitigation or remedial actions" if NextEra does not adequately address complaints.

<http://www.krdo.com/news/top-stories/calhan-wind-farm-situation-remains-unresolved/411990993>

Calhan wind farm situation remains unresolved

Nextera says turbines are within safety guidelines

By: Scott Harrison

Posted: Mar 23, 2017 06:38 PM MDT **COLORADO**

COLORADO SPRINGS, Colo. - An El Paso County commissioner said Thursday that safety and health concerns regarding the Nextera wind farm in Calhan may never be resolved to everyone's satisfaction.

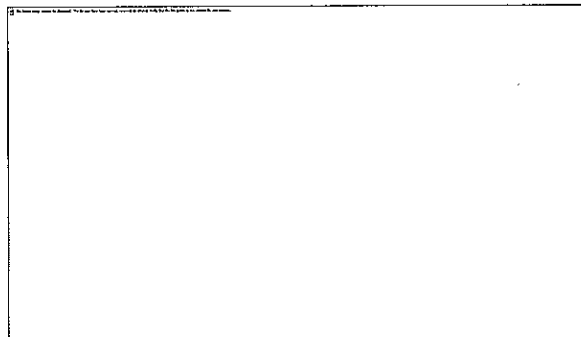
"I don't know that it's within our authority to consider at this point in time," said Commissioner Mark Waller. "It's been approved. The process has already taken place to allow Nextera to operate a wind farm."

Ever since the wind farm opened last fall, a small but vocal group of current and former neighbors has expressed concern that noise, other types of sound called infrasound and shadow flicker from turbine blades have sickened people and animals.

"I had to move away because I was sick," said Jeff Wolfe. "My wife stays behind to care for our animals and she's getting sick. I put my life savings into our home."

Wolfe said 10 to 15 families have moved away from Calhan because of the situation.

Commissioners on Thursday held a hearing on the matter that lasted nearly four hours.

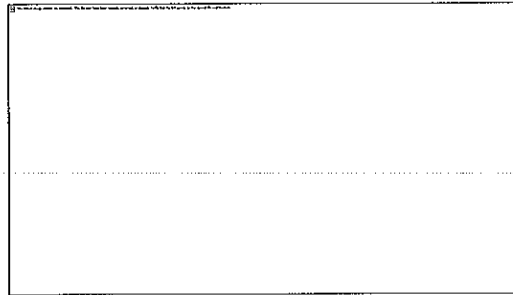


John Dailey, a Nextera spokesman, declined an interview request from KRDO NewsChannel 13 to explain what else besides the wind farm could be affecting health.

But in a presentation during the hearing, Dailey cited Nextera studies, and research from two consultants, which state the wind farm is well within the health and safety guidelines established in the company's permit from the county.

"Generally speaking, (any) complaints (or) impacts have been attributed to infrasound, which is a form of noise," he said. "We've received complaints of that nature from four or five individuals -- some of them, multiple times."

Several Nextera critics said they conducted their own research, including a study by a Boulder-based acoustics expert who suggested the wind farm should close.



Commissioners said they don't have enough information yet to decide what, if any, action to take.

"We're going to hold Nextera accountable to make sure they're meeting their obligations," Waller said. "We're trying to be unbiased about the situation. This is the first time we as a commission (with two new members) are learning about the history of the situation and the level of concern."

At an undetermined future hearing, commissioners said they want to learn more about how Nextera responds to complaints from neighbors.

Some neighbors said Nextera is slow to respond or hasn't responded at all, and criticized commissioners for their lack of action.

Commissioners Darryl Glenn and Longinos Gonzalez Jr., both asked upset neighbors to follow an established complaint process.

"It's extremely important because it's an obligation that we're held to," Glenn said. "We can't hold Nextera responsible for not doing what they're (supposed to) if the complaint hasn't been submitted (properly)."

Dailey said Nextera will work harder to communicate with affected neighbors, and that the company wants to see the results of the private research presented at the hearing.

The wind farm has 145 turbines and a 29-mile transmission line. The company sells electricity to Xcel Energy.

http://www.ricentral.com/coventry_courier/residents-complain-of-issues-with-turbines/article_32004724-1028-11e7-9df6-5762fa374322.html

Residents complain of issues with turbines

Kendra Lollo Mar 23, 2017 RHODE ISLAND

COVENTRY — Citing increasing concerns from constituents in her ward regarding Wind Energy Development's newly-installed wind turbines, Councilwoman Karen Carlson made a public plea this week with town officials to "take notice and listen."

The District 1 councilwoman read excerpts of correspondence she had received from residents surrounding the turbines.

"Our dream of sitting outside behind our house enjoying some peace and quiet no longer exists," said a resident of Flat River Road. "We sit on the deck at night and all we can hear are the windmills. We open our bedroom window and all we can hear are the windmills. There is not one day that

goes by that we don't hear it. The ones who benefit from it don't have to deal with the effects of these windmills."

Carlson quoted another resident of West Long Bridge Road, who said they were experiencing issues with shadow flicker from the propellers of the turbine, particularly when the sun is setting. The home owner requested that the turbines be shut down during that time on a daily basis, citing the town's existing wind energy ordinance.

"During the time of shadow flicker, the wind energy facility shall be shut down so as to eliminate shadow flicker issues," the ordinance reads. "The presence of shadow flicker shall be measured at the property boundary lines and at locations within 2,500 feet of the wind energy facility."

The ordinance also indicates that the applicant, when proposing the turbines, is required to prove that the flicker effect will not have "significant adverse impact" on the neighboring properties.

"I'd like to know what the hell we're going to do about this," Carlson said, apologizing for the language. "These are tax payers. They're not getting anything from these turbines, and it's time to take notice and listen. We need to do it now."

Carlson also pointed out that the town's own noise ordinance says that excessive noise degrades quality of life.

"For the people who move out to Greene and Western Coventry, they're out there because they want a country rural lifestyle without a lot of noise," she said.

Town Manager Graham Waters said that he has referred the complaints to the zoning department, and some even to DePasquale himself, who Waters said requested to be put in contact with residents who experience issues with the turbines.

"I've made no qualms about interfering on behalf of residents," Waters said. "But I feel that if Mr. DePasquale can intervene first and take care of their issues directly and

have a direct line of conversation with them, I think that would be the most beneficial."

"We're not supposed to rely on him to do something for the residents when we already have an ordinance," Carlson replied.

Waters said that because the turbines were constructed in May of 2016 and have just recently come online, he has been referring complaints to the zoning department for further investigation.

The same homeowner who reached out to Carlson regarding the shadow flicker also informed her that water from the wetland abutting their property was backing up and overflowing a segment of a nearby access road under which Wind Energy Development had installed a conduit for the turbines. The resident feared that the continued erosion of the road would lead to exposure of the electrical conduit which was installed in October of 2015. When the individual contacted DePasquale, they were told a depression would be made in the newly installed road to allow for proper drainage, but it was never actually made.

"The culvert that Wind Energy constructed has become blocked, causing the water to back up and flow over the road itself, washing out the dirt and gravel covering the road."

Carlson said the Department of Environmental Management was able to acquire a cease and desist notice because Wind Energy Development was not issued permits to modify the wetland in the area. She called the incident "disturbing," and asked that a town official conduct an inspection of the area.

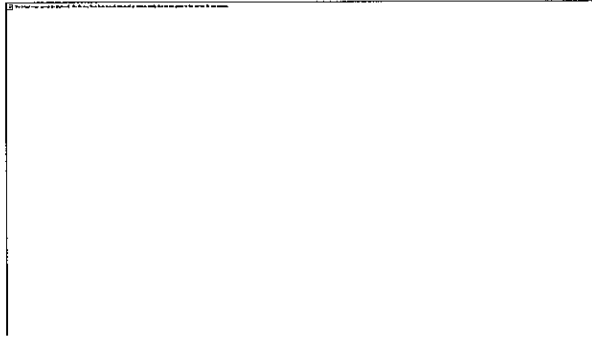
"What I would like a zoning official to go out there and finally look at this," she said. "Somebody from the town should be there checking our Chapter 200 which is our soil erosion chapter."

<http://www.kdlt.com/2017/04/04/lincoln-county-increases-restrictions-wind-turbines/>

Lincoln County Increases Restrictions For Wind Turbines

April 4, 2017 SOUTH DAKOTA

Sydney Kern



CANTON, S.D. — It was a tough night for a company that wants to build a wind farm in Lincoln County.

County commissioners approved some zoning changes.

Dakota Power Community Wind wants to build a farm with nearly 300 turbines.

But commissioners voted to put some tougher restrictions on how quiet they have to be. Dakota Power wanted a top noise limit of 65 decibels, but commissioners set the limit at 45 decibels.

The company says that is unrealistic based on a study they conducted testing the current noise in the county.

“The noise level ranged from 36.4. DBA to 51.3 DBA, so in some areas the decibel level was already exceeded before we even did anything,” says Rob Johnson, with Dakota Power Community Wind.

Commissioners also discussed a second zoning change.

This one dealt with the setback distance, which is how far the turbines have to be from public roads and homes.

The current distance is 1,320 ft., or three times the height of the turbine.

The Planning Commission recommended increasing it to 5,200 ft., or one mile.

The county commissioners said this decision is the toughest they'll have to make, since it could determine whether or not Canton and surrounding cities could grow in the future.

They decided to table it for now, so they can look into more research on the topic.

Dakota Power Community Wind says they can deal with the noise restrictions, though it will make their project much more difficult.

But they said if the county adds setback restrictions, then they will have to kill the project.

<http://northcountrynow.com/news/citizens-opposed-parishville-and-hopkinton-wind-turbines-vent-pilot-tax-and-lease-agreement>

Citizens opposed to Parishville and Hopkinton wind turbines vent PILOT, tax and lease agreement concerns to legislators

Wednesday, April 5, 2017 - 11:46 am NEW YORK
By MATT LINDSEY

CANTON -- Members of the Concerned Citizens for Rural Preservation attended a St. Lawrence County Legislature meeting Monday to dispute claims made by an environmental health scientist and business developer relating to proposed wind turbines.

Four community members, Will Dailey, Lucia Dailey, Gary Snell and Lori Witherell all spoke at the meeting during a public comment period disputing claims made by Avangrid associates Christopher Ollson, an environmental health scientist, and Scott McDonald, a business developer.

Ollson and McDonald made the presentation to legislators March 27.

Avangrid, a subsidiary of Iberdrola, is heading the North Ridge Wind Farm which calls for about 40 wind towers, about 500 feet high, to be constructed on land in Hopkinton and Parishville.

The concerned citizens group opposes claims made that property values do not decrease when a wind farm moves into an area. They also say Avangrid employees have had contact with school and town officials relating to Payment in Lieu of Tax (PILOT) contracts versus taxes. Other concerns were clauses contained in lease agreements and wind power taking money away from the Robert Moses Power Dam.

Will Dailey expressed concerns about a confidentiality clause and right to terminate clause he read in a lease between a landowner and Avangrid.

He told legislators that should landowners wish to complain publicly about issues (such as noise, visual impairment or flickering the light), that they (landowners) would have to submit complaints directly to Avangrid before it could be printed for the public to see.

"You should read the lease agreements – they are a hoot," Dailey said in an interview with North Country This Week April 5. His wife, Lucia, was also interviewed.

He says the agreements do not allow landowners to terminate their lease, but includes the option for the wind company to do so.

Mr. Dailey says an Amish friend of his bought land a few years ago that had a lease agreement. The Amish man was allegedly told by an Avangrid representative that he could in fact get out of the agreement, a contradiction of what his agreement states.

"I don't know if all of these leases are the same," Mr. Dailey said. "Neighbors should be getting together to discuss the leases and I am not sure that is happening."

Mr. Dailey's wife, Lucia, says claims that wind farms do not decrease property values are false.

"They say there is no decrease – but when property values are going up everywhere else and remaining the same near wind farms – that shows property values decrease near wind farms," she said. So although property values may not decrease on paper, with other property values rising in other parts of the state, land near wind farms does not increase in value at the same rate, according to studies the Dailey's have read.

The Concerned Citizens for Rural Preservation are receiving help from other towns, including Vermont, Massachusetts and across the state, who have challenged wind farms or who are facing the same situation now.

"Other communities (that have wind farms) are coming to us with information about the health effects from the turbines," Mrs. Dailey said. "A couple in Vermont were forced to abandon their home because they couldn't stand them anymore."

She also said people from nearby Chateaugay have approached the group warning them about property values. The couple claims that they have been unable to sell their home for anything close to what they put into it, all because of wind turbines in the area..

Mrs. Dailey says that Avangrid officials have informally contacted local officials about PILOTS. According to Mrs. Dailey, Avangrid representatives stated they have not had contact with local officials. She says Parishville Town Supervisor Rodney Votra said he was approached about PILOTS. He allegedly made the comment at a town hall meeting.

"We are pretty sure," Avangrid has had private, individual meetings with the superintendent and the Hopkinton town supervisor, she said.

Mrs. Dailey said she believes school and town officials saw PILOTS as free money if the project does happen. She says information they've gathered shows that PILOTS would not provide the same financial gain for the area as taxes would.

Staying with the financial impact on the region, Mrs. Dailey says wind turbines would have an impact on the Robert Moses hydropower dam in Massena.

Mrs. Dailey says she was going door-to-door discussing wind power and a power worker told her the power dam would have to cut back its production so it would not overload the grid.

She says studies have shown that wind turbines generally produce just 20 to 25 percent of their capacity. "It is unreliable and not that efficient." "Why take on a project that pays taxes to basically offer a subsidy to the wind company," Dailey asked.

Mr. Dailey said it was "nice of the legislators to put up with the public coming to meetings." "I am hopeful they (legislators) will bring themselves up to speed."

<http://www.fairmontsentinel.com/news/local-news/2017/04/06/citizens-oppose-wind-farm-project/>

Citizens oppose wind farm project

Apr 6, 2017

Anna Boettcher Staff Writer MINNESOTA

BLUE EARTH — Representatives of the Coalition for Rural Property Rights spoke before the Faribault County Commission this week, presenting opposition to a proposed industrial wind energy installation in the county. Citizens packed the commissioners room at the Courthouse to voice their concerns regarding placement of wind turbines.

The current setback for non-participating residences is 1,000 feet. The average rotor diameter of wind energy

turbines has been steadily increasing, leading many citizens to believe the current setback requirement is not enough to protect non-participating lands and residences.

The Coalition requested that the board consider increasing setbacks from non-participating dwellings to 10 times the rotor diameter of the wind turbine to be installed, which is comparable to the ordinance adopted in Goodhue County.

Many of these Faribault County residents believe the placement of the wind turbines is infringing on their rights. Community members discussed several points regarding the wind turbine placement, including limitations on hunting rights, firearm use, agricultural prosperity and residents' quality of life. They believe large-scale wind turbines can cause harm to people in the form of loss of enjoyment of property through added noise, shadow flicker and a complete change to their environment, which is almost completely out of their control. Most object to an object, roughly the size of a Boeing 747, over 400 feet in the air constantly moving within 1,000 to 1,500 feet of them, said one resident.

Carolyn Zierke offered her perspective on the proposed wind turbines:

"By allowing growers to protect their crops during the most important time in a plant's life, it means, for you as a county, an additional local revenue of over \$3.8 billion by not placing 120 turbines on productive farmland ... Why are counties overlaying an industrial zone on top of a productive agricultural zone? This county has the highest producing ground in the state ... Don't compromise the soil structure that these growers have built in this county, or the investment in tile to properly drain these productive crops that we grow, because the revenue generated from the state's highest-producing county has a rippling effect on the community."

Dan Warner also weighed in.

"Don't get mesmerized by the apple," he said. "The apple is money. These [wind turbines] are money. Please don't let the illusion of big money, generated by these big machines, cloud your judgment in protecting the residents who are forced to live around these big machines. These same

people, and these same families, who populate our schools and shop in our small towns are the ones who are trying to carve out a life out there. These are the same families that have elected you to protect them. Please don't bite the apple."

Shanelle Montana, project developer for the Rose Lake Wind Project in Faribault County, spoke on behalf of EDF and its proposed project, defending the company and its standards. Montana said the company encourages this type of conversation, hoping the citizens' questions were answered.

Monday, April 10, 2017

Conservation Groups Sue Over Proposed Turbine, OPSB Rejects Application For Offshore Wind Farm

A pair of bird conservation groups is suing the Ohio Air National Guard to halt the proposed construction of a wind turbine near Lake Erie.

The American Bird Conservancy and the Black Swamp Bird Observatory previously filed notices they intended to sue last year.

The complaint in the U.S. District Court for the District of Columbia alleges the project will violate the Endangered Species, Migratory Bird Treaty, the Bald and Golden Eagle Protection, and the National Environmental Policy acts.

Named as defendants are U.S. Air Force Acting Secretary Lisa Disbrow, OANG Col. Andy Stephan, U.S. Fish and Wildlife Service Acting Director Jim Kurth, and U.S. Department of the Interior Secretary Ryan Zinke.

The groups are requesting the court force the government to prepare a new biological opinion, obtain new permitting under the MBTA and BGEPA laws and prepare a new environmental impact statement.

The filing argues the project will "impair the interest of" the groups and individuals who observe, study, enjoy and benefit from local birds. The project, they argue, "will be built by killing, harassing or otherwise taking birds in this unique migratory area."

The groups contend that an environmental assessment from the government shows the adverse impact the project is expected to have. That assessment states one of the project's purposes as studying the impact of wind energy on factors including the deaths of birds and bats as the result of such turbines.

"In short, the stated purpose of the project is to observe how many birds (and bats) - including numerous federally protected species - the turbine will kill by being placed in a crucial migratory pathway and globally important bird area so that ANG can then 'make recommendations,'" the lawsuit reads.

The OANG previously determined the project would not a "significant impact" on the natural environment, according to a 2016 study.

Icebreaker: The Ohio Power Siting Board rejected the application of an unrelated project to construct an offshore windfarm in Lake Erie, saying the application lacked sufficient information.

The six-turbine, 20 megawatt wind farm would be situated eight miles off the Cleveland coast and would mark the first freshwater wind farm in the nation.

But in a letter from OSPB Chairman Asim Haque, the board informed project members that the group's Feb. 1 application and its supplemental application March 13 failed to comply with administrative code.

That's because the applicants referred to two memorandums of understanding that were not included in

the application materials. They include agreements on monitoring the project's impact on both fisheries and other aquatic resources and on birds and bats. (Docket)

"At such time as the applicant files in this proceeding copies of these two MOUs, signed by at least the applicant and the Ohio Department of Natural Resources, staff will revisit its compliance determination," Mr. Haque wrote.

Applicants are prohibited from commencing construction on any part of the facility without a certificate from the board.

Opponents, including the aforementioned BSBO and ABC, have voiced concerns about the impact on wildlife and argued the project could be a stepping stone to thousands of turbines constructed on the lake.

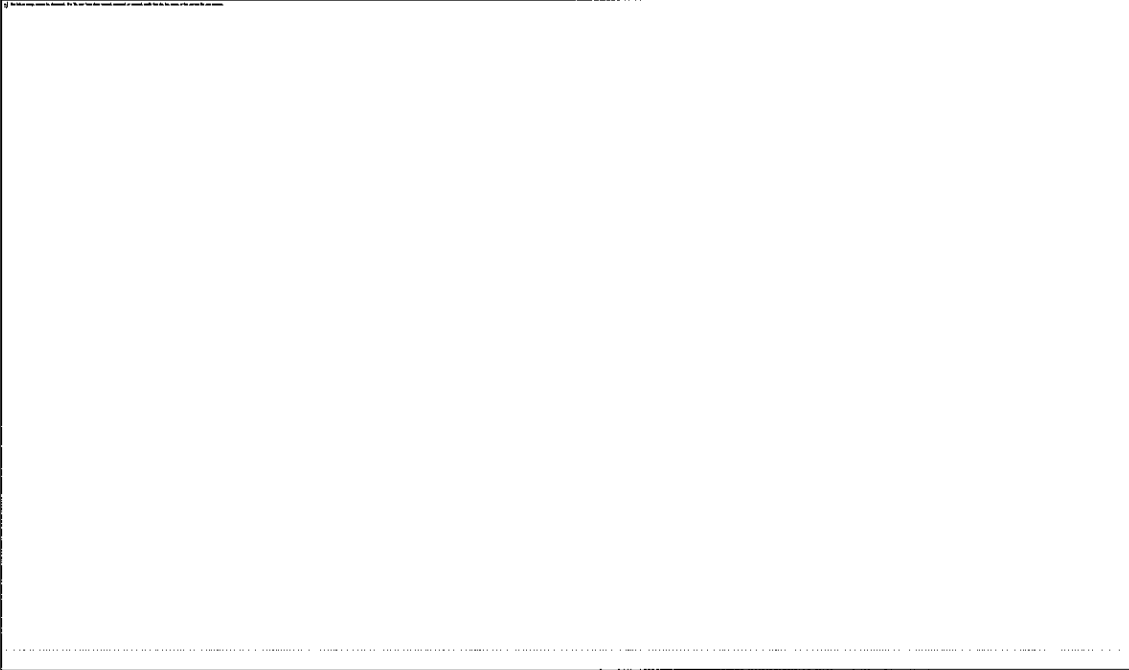
"The combined scale of U.S. and Canadian wind aspirations for Lake Erie is at least 2,700 turbines, or about 9,300 MW," the groups said in comments. "It is therefore essential that every effort be made by LEEDCo to prepare a fundamentally sound, quantitative risk assessment of mortality to bird and bat species known to be in the area, especially protected species covered by the Endangered Species Act, Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act and their Canadian equivalents."

But proponents, including Sen. Matt Dolan (R-Chagrin Falls), say the project will drive economic and environmental investment in the region.

"Ultimately, Icebreaker could position Cleveland as a central North American hub for the emerging U.S. offshore wind industry," Sen. Dolan wrote in public testimony filed last month.

http://www.cleveland.com/neobirding/index.ssf/2017/03/birding_groups_sue_ohio_air_na.html

Birding groups sue Ohio Air National Guard to block wind-turbine at Camp Perry



The Black Swamp Bird Observatory joined the American Bird Conservancy on Monday in a federal lawsuit to block construction of a wind turbine at Camp Perry due to fears it would destroy migrating birds and bats. *(Photo courtesy of Black Swamp Bird Observatory)*

By James F. McCarty The Plain Dealer
on March 27, 2017 at 4:35 PM

WASHINGTON, D.C. - State and national birding groups sued the Ohio Air National Guard on Monday, asking a federal court to block construction of a large wind turbine at Camp Perry near Lake Erie.

The Black Swamp Bird Observatory, based in Oak Harbor in Ottawa County, suspects the proposed wind turbine would violate the Endangered Species Act, posing as a lethal bird-killing machine for bald eagles and migrating songbirds and bats.

BSBO joined with the American Bird Conservancy to file the 31-page lawsuit in U.S. District Court in Washington.

A spokeswoman for the Ohio Air National Guard declined to comment.

"We're not aware of the lawsuit, and would not be able to comment on any litigation," said Stephanie Beougher of the Adjutant General's Department.

Michael Hutchins, director of ABC's Bird-Smart Wind Energy Program, called the National Guard turbine project a "disaster," and "perhaps the worst possible place for wind energy development."

The planned construction site is located less than a mile from Lake Erie and situated in one of the largest confluences of migratory birds and bats in the world, Hutchins said. In addition to numerous bald eagle nests, the lakeshore in that area provides passage for endangered species such as Kirtland's warbler and piping plover.

"We have many peer-reviewed studies documenting the impact of wind energy on birds and bats," said Kimberly Kaufman, BSBO's executive director. "And yet it takes a lawsuit to protect one of the most important migratory bird stopover habitats in the Western Hemisphere."

The birding groups are asking the court to halt the project until the National Guard obtains the proper permits and conducts environmental impact assessments required by the Endangered Species Act.

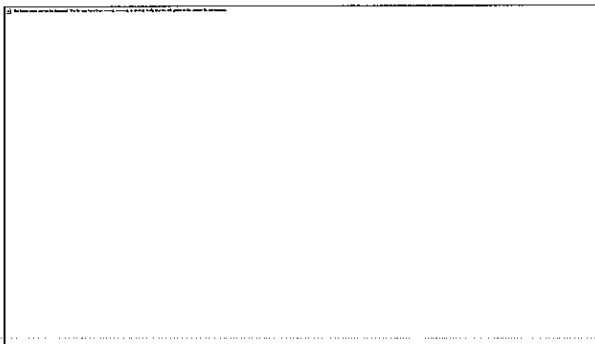
In 2014, the BSBO and Bird Conservancy successfully halted construction of the 600-kilowatt wind turbine after determining the Air National Guard had failed to obtain the proper certifications.

The National Guard subsequently completed an environmental assessment and obtained permission from the U.S. Fish & Wildlife Service, which the BSBO and Conservancy maintain are inadequate. The birding groups have cited a new radar study that shows vast numbers of

migratory birds and bats move through the area, flying at altitudes that would bring them within the 198-foot rotor-swept zone of the Camp Perry turbine.

<http://www.chicagotribune.com/news/opinion/commentary/>

Commentary: Wind turbines around the Great Lakes? A terrible idea for birds, bats



Wind Power Jens
Dresling / AP
Wind turbines at
Flakfortet near
Copenhagen.

Michael Hutchins
The rush is on to build
scores of large,

commercial wind energy facilities in and around the Great Lakes, in Canada and the United States. From the proposed Galloo Island and Lighthouse projects in New York to Camp Perry and Icebreaker in Ohio and Amherst Island and White Pines in Ontario, developers are looking to flood the region with renewable energy. But at what cost?

Many see renewable energy, including wind energy, as an important way to cut our dependence on fossil fuels and address global climate change. But this "green" revolution has a dark side. Collisions with wind turbines are killing hundreds of thousands of birds and bats annually. When you include collisions and electrocutions at associated power lines and towers, the number of birds killed climbs into the tens of millions.

These impacts are likely to grow along with the number of turbines and power lines constructed, a number that is increasing rapidly. American Bird Conservancy estimates

that by 2050, when wind energy is projected to produce 35 percent of our electrical energy, as many as 5 million birds per year could be killed by turbines in the United States alone.

From the perspective of wildlife conservation, the Great Lakes are one of the worst possible places to put wind energy. During spring and fall, these large freshwater lakes pose a significant barrier to birds and bats during their annual migration to and from the boreal forests of Canada where they breed. Vast numbers of birds and bats, many of which migrate at night, gather along the shorelines and eventually fly along or over the lakes. Advanced radar studies conducted by the U.S. Fish and Wildlife Service in Michigan, Ohio and New York have all confirmed the danger that large-scale wind energy development poses to migratory birds and bats in the region.

The Great Lakes themselves are also an important habitat for water birds. Lake Erie was recently designated a Globally Important Bird Area because of the large numbers of water birds that use the lake. Large-scale commercial wind turbines have the potential to threaten or displace them.

Only through proper risk assessment, siting and post-construction monitoring can such conflicts with wildlife be avoided or contained. At present, regulations governing siting are weak at best. Paid consultants to the wind industry conduct the risk assessments and also collect and report post-construction mortality data — a direct conflict of interest. Some companies have sued to keep their data secret, making public oversight difficult if not impossible.

If any area in the United States and Canada should be avoided for wind energy development, it is the Great Lakes region, one of the world's largest confluences of migratory birds and bats. The cumulative impact of the many existing and planned projects in the region could be substantial and cannot be evaluated on a case-by-case basis.

We must make clean energy a priority, but how we do it is important. Our ecologically and economically important

birds and bats should not be collateral damage in our battle against climate change.

Michael Hutchins is director of the American Bird Conservancy's Bird-Smart Wind Energy campaign.

Statehouse News
April 7, 2017

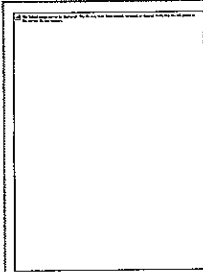
New Member Profile: Riedel To Pursue Decentralized Government, Competitive Economy

Craig Riedel had longer than most freshman lawmakers to prepare for his first day in the Ohio House - something he says he didn't take for granted.

The Defiance Republican toppled incumbent Tony Burkley in the March 2016 primary and, with no Democratic challenger, got a free pass in the general election.

He used the extra time to form relationships with his new constituents and use their feedback to hone his legislative agenda, he said.

"It was very, very beneficial for me to have that time where instead of having to worry about running in the November general election I was able to focus most of my time and energy on just getting around...and getting to know more people within my district," he said in an interview.



Rep. Riedel

Rep. Riedel, 50, represents the 82nd District, which is a conservative area of northwest Ohio covering Defiance, Paulding, Van Wert and part of Auglaize counties. He and his constituents are most interested in policies that would rejuvenate the economy in that region and the entire state, he said.

Having worked at Nucor Corporation for 27 years, the lawmaker said he'd always been focused on attracting businesses to the state and keeping them here. However, he was inspired further through his campaigning, which included knocking on about 4,600 doors.

"We walked through parts of communities that we would have never walked through. That was very sobering to me and my wife because we didn't realize the amount of poverty we have here in northwest Ohio. It's much more severe than I ever imagined," Mr. Riedel said.

"That just reinforced my passion to help people and I think I can help people by bringing better paying jobs to Ohio and northwest Ohio."

His strategies for doing so will include allowing the free market to take control and reducing "unnecessary, burdensome" regulations on businesses, particularly when they hinder growth.

Rep. Riedel said he's a proponent of right-to-work and recently introduced legislation (HB 163) that would permit cities to opt out of prevailing wage.

"It's all about making Ohio more competitive, particularly where I live up here...there are border counties with Indiana and we are in a constant battle with the state of Indiana for good paying jobs, manufacturing jobs."

When it comes to giving control back to local communities or businesses, Rep. Riedel said: "I feel that way about everything."

"I just think we govern best when more decisions are made on a local level," he said.

Rep. Riedel said he's opposed to requiring schools to implement Common Core learning standards and will do his best to ensure taxes aren't increased at the state level.

His wife of 28 years, Danette, is his best counsel when it comes to developing policy and responding to constituent concerns, Rep. Riedel said. Both have forgone other occupations to make the General Assembly a top priority for their family.

"She's been a tremendous help to me with her consultation and her outlook on things. This really is a team effort," he said.

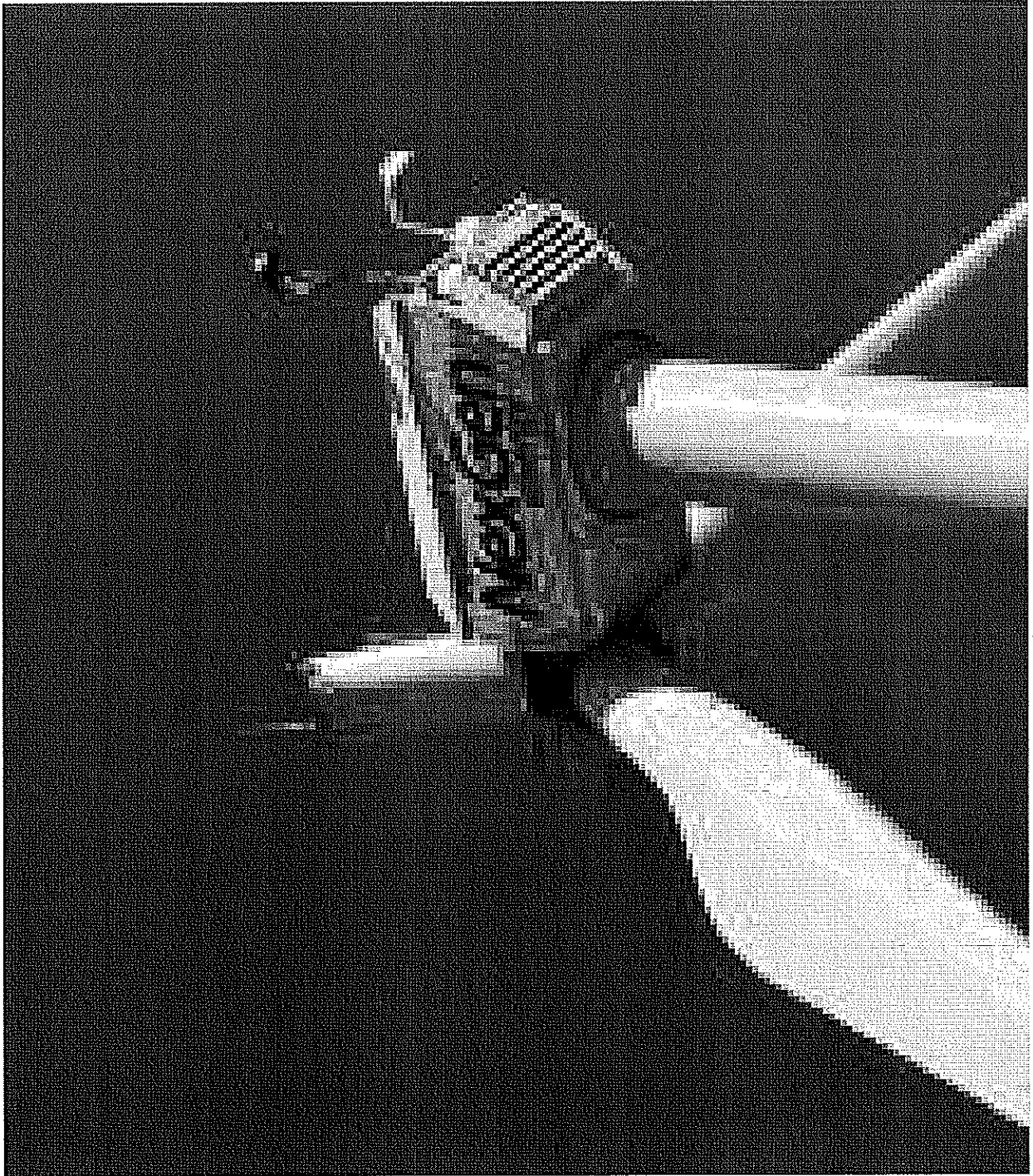
He and his wife have two children, both who graduated from Ohio State University. An OSU alumnus himself, Rep. Riedel said his family are faithful Buckeyes fans and are football season ticket holders.

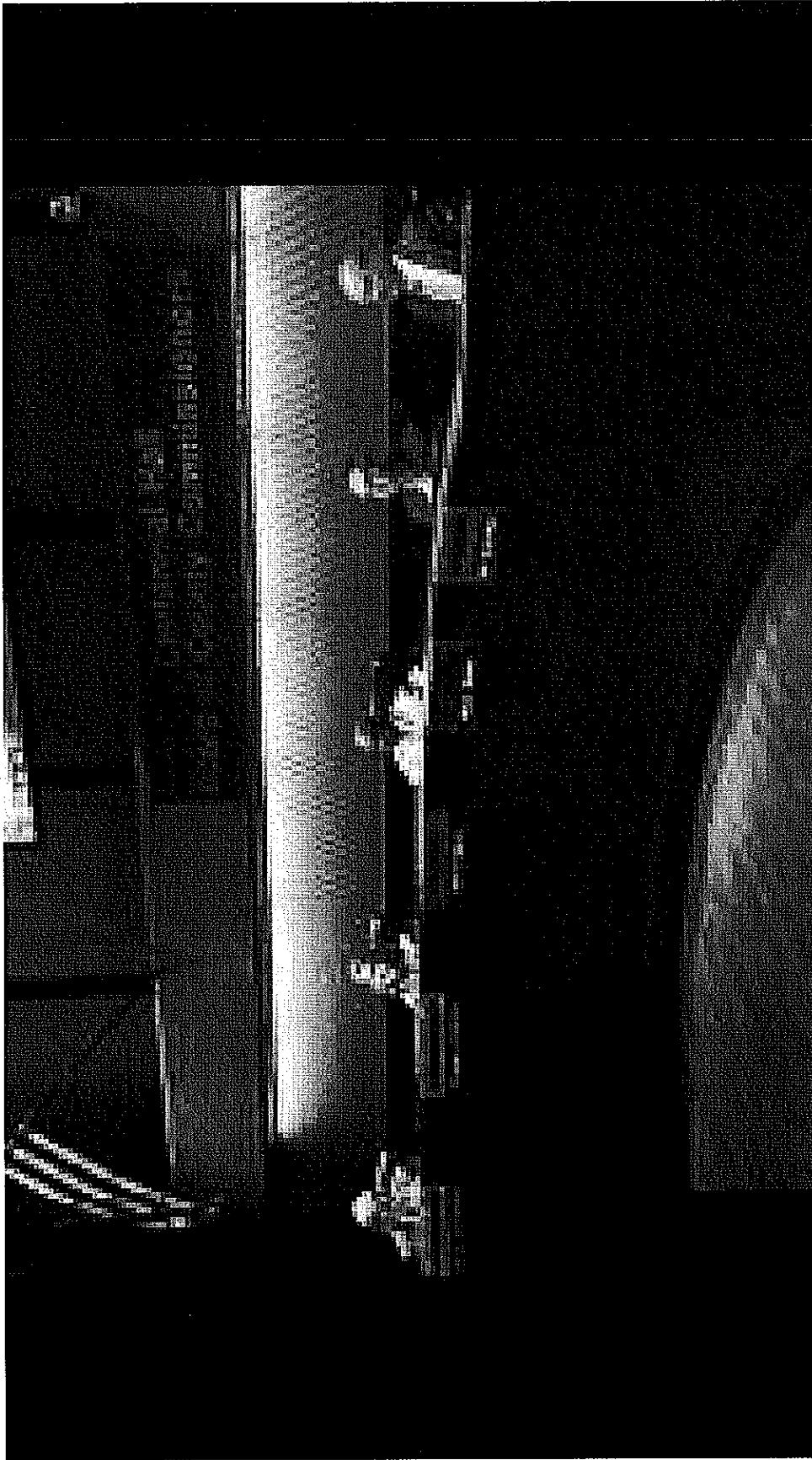


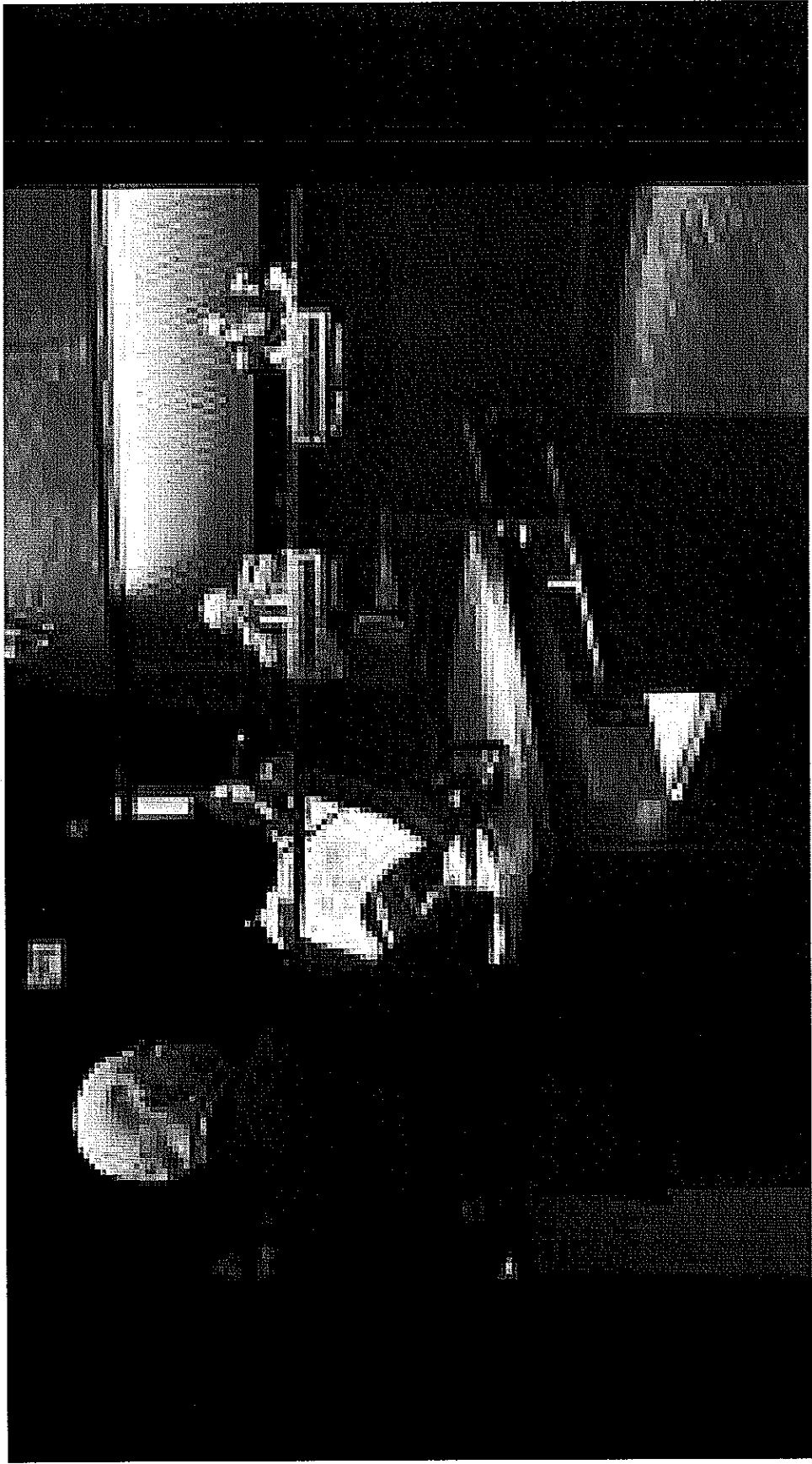
Virus-free. www.avg.com

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Letter to the Editor

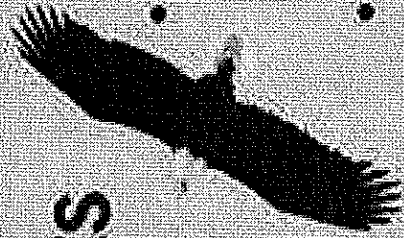








**KEEP
WIND TURBINES
OFF OUR
LAKE SHORE**



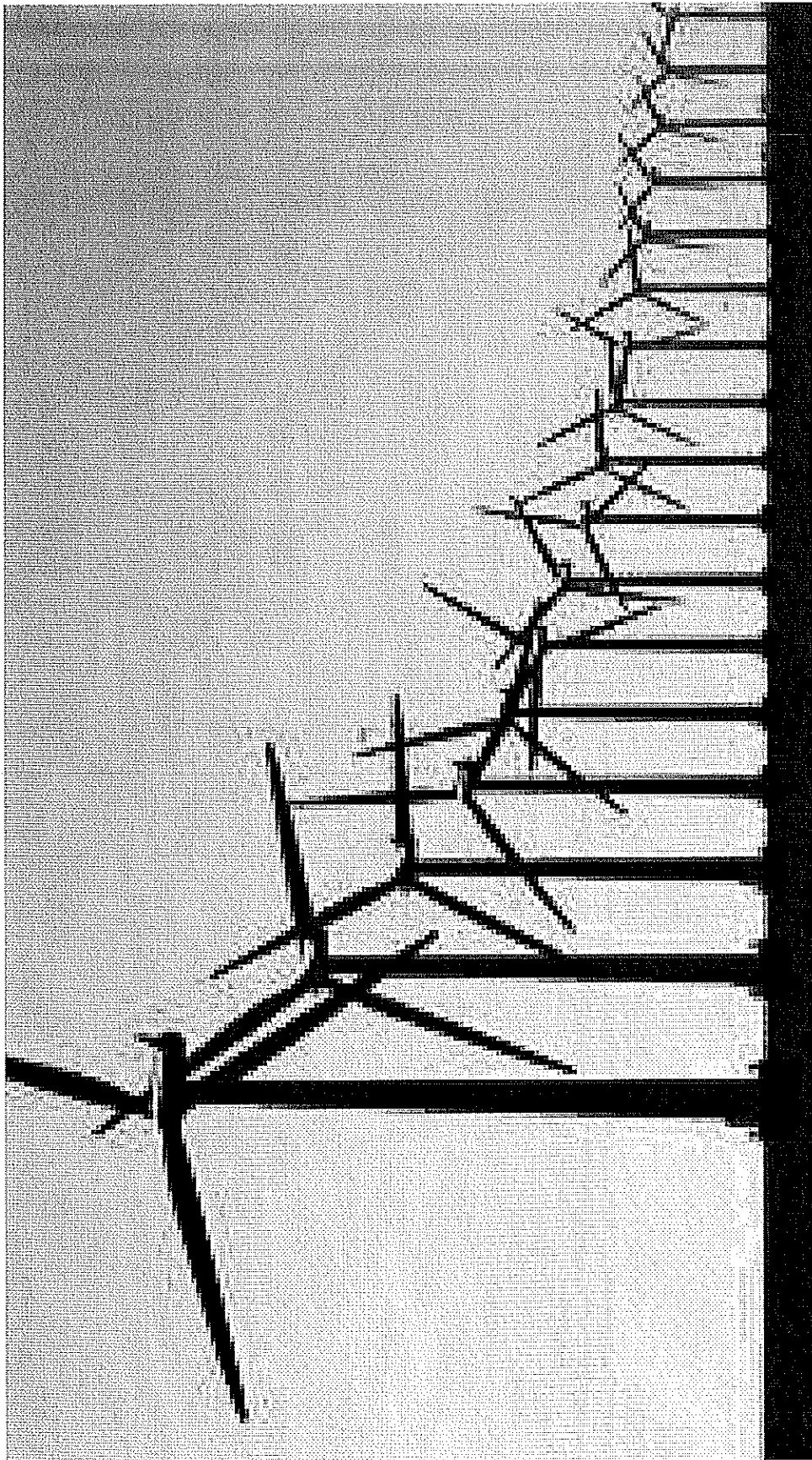
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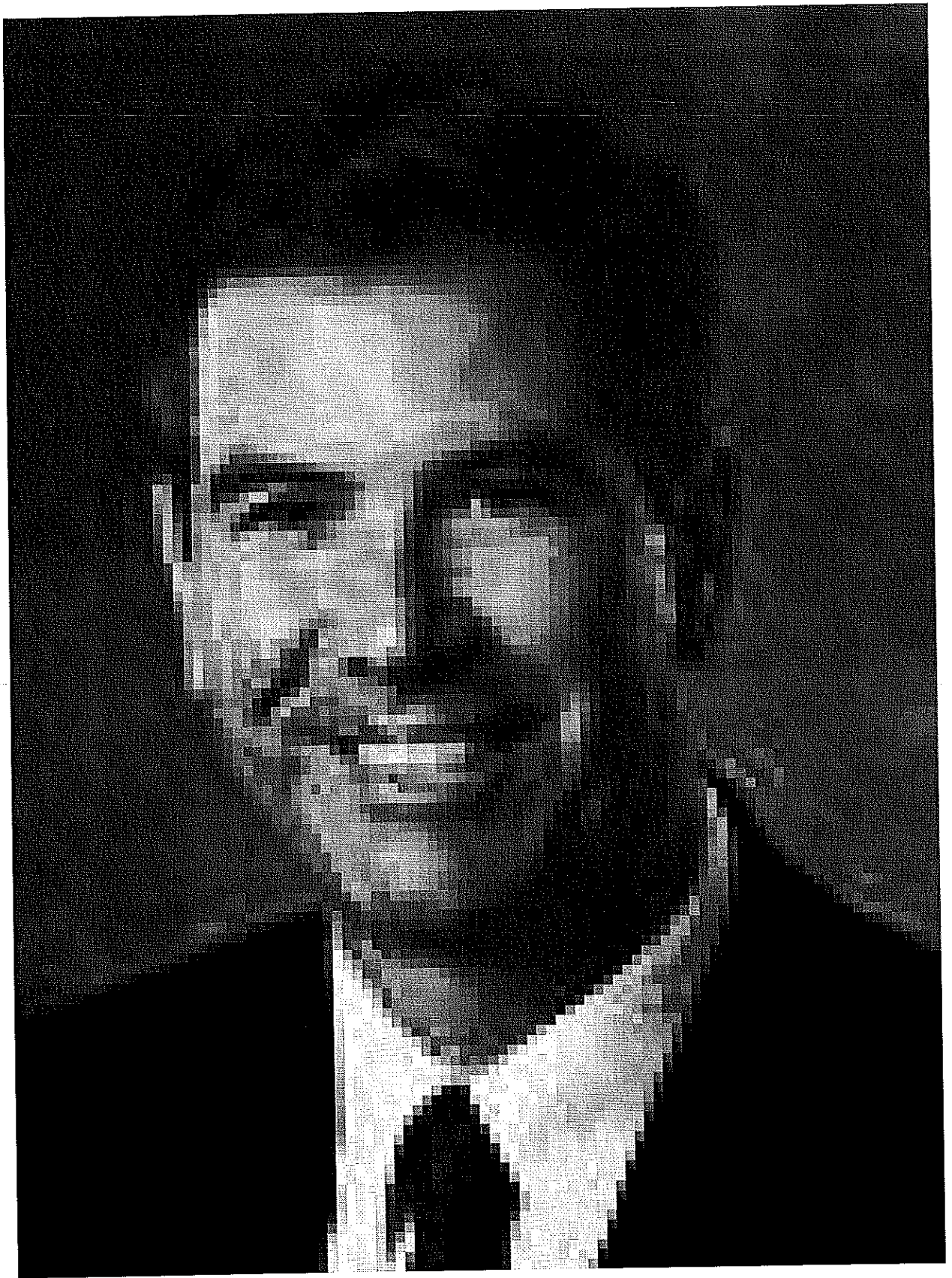
- BALD EAGLES
- WATERFOWL HUNTING
- BIRD WATCHING
- TOURISM
- THE LOCAL ECONOMY

LOCATION MATTERS!



2866





From: Rep30

Sent: Wednesday, April 12, 2017 7:51 AM

To: Rep84; Rep88; Rep82; Cliff Hite (LIO); Beagle@ohiosenate.gov;
Balderson@ohiosenate.gov; Frank Strigari; Lehman, Ryan; Kasych, Shawn

CC: Dumski, Allie; Benjamin, Abigail; Leach, Eric; Emilie Regula; Ethan Zucal;
Rachael Mains

BCC: juliejohnson@ctcn.net; 'tfstacy@gmail.com'

Subject: FW: Wind News - Ohio Setbacks in Play

Attachments: mime-attachment.jpg; mime-attachment.jpg; mime-attachment.jpg;
mime-attachment.jpg; mime-attachment.png; mime-attachment.jpg; mime-
attachment.jpg; mime-attachment.jpg

Please read every word of this long chain. There is no way on God's Green Earth that we should even consider for a millisecond changing the wind setbacks in the budget. Any of you that want to discuss this topic, I am game but not in the budget and the ardor to change them should be tempered by what you read below.

From: Kevon Martis <kevon@kevonmartis.com>

Date: April 11, 2017 at 9:04:53 PM EDT

To: julia johnson <juliejohnson@ctcn.net>, "Seitz, William"

<william.seitz@dinsmore.com>

Subject: Re: Wind News - Ohio Setbacks in Play

A "flier"???? IT's from the f***** Michigan State University Extension,
Greening Michigan Institute, Government and Public Policy Team!!!! That's
the best they have?

MSE extension educates every planning commissioner in the State of
Michigan!

Sorry...tired.

On 4/11/2017 8:52 PM, julia johnson wrote:

Friends,

We regret that a series of computer malfunctions left us
out of communication over the past two weeks. During that
time the wind industry lobby has been working to get the
Ohio Senate to insert a provision in the budget bill rolling